

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS, PEORIA DIVISION**

KENT V. ANDERSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 15-cv-1360
	)	
CAROLYN W. COLVIN,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**OPINION**

TOM SCHANZLE-HASKINS, U.S. MAGISTRATE JUDGE:

This matter comes before the Court on Plaintiff Kent V. Anderson’s Application for Attorney’s Fees Under the Equal Access to Justice Act (d/e 30). The parties have consented, pursuant to 28 U.S.C. §636(c), to proceed before this Court. Consent to the Exercise of Jurisdiction by a United States Magistrate Judge and Reference Order entered August 15, 2016 (d/e 17). Plaintiff prevailed in this matter and now requests an award of attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). The Plaintiff’s Motion (d/e 30) was filed and served on June 19, 2017. A response was due from Defendant Commissioner of Social Security on or before July 3, 2017. Defendant did not timely respond to Plaintiff’s Motion, therefore, pursuant to Local Rule 7.1(B)(2), the Court

presumes Defendant does not object to Plaintiff's motion for attorney fees and costs. The Court has further reviewed the request and determines that the request of \$13,930.17 in attorney fees is reasonable and appropriate in this case. The Motion is therefore allowed.

Plaintiff has assigned his right to attorney fees to his counsel. Such an assignment is appropriate as long as the award of fees is not subject to offset for any debt that Plaintiff may owe the United States. See Astrue v. Ratliff, 560 U.S. 586, 130 S.Ct. 2521, 2529-30 (2010). The Commissioner will therefore pay the amount of the award that is not subject to offset directly to Plaintiff's attorney.

WHEREFORE Plaintiff Kent V. Anderson's Application for Attorney's Fees Under the Equal Access to Justice Act (d/e 30) is ALLOWED. The Court awards Plaintiff Kent V. Anderson the sum of \$13,930.17 in attorney fees. Plaintiff has assigned the award of fees to his attorney. The Commissioner is therefore directed to pay the amount of the award that is not subject to offset directly to his lead attorney, Frederick J. Daley, Jr., and Daley Disability Law.

ENTER: July 12, 2017

*s/ Tom Schanzle-Haskins*  
UNITED STATES MAGISTRATE JUDGE