

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

RONDA J. LEEZER,)	
)	
Plaintiff,)	
)	
v.)	No. 12-cv-3267
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of)	
Social Security,)	
)	
Defendant.)	

OPINION

BYRON G. CUDMORE, U.S. MAGISTRATE JUDGE:

This matter comes before the Court on Plaintiff Ronda J. Leezer’s Application for Brief in Support of Relief Under the Equal Access to Justice Act Pursuant to Sentence Four Remand (d/e 19) (Motion) and the parties’ Stipulation for Attorney Fees Pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412 (d/e 21) (Stipulation). Leezer prevailed in this case and seeks an award of attorney fees under the EAJA, 28 U.S.C. § 2412(d). The parties have consented to proceed with this matter before this Court. Consent to Proceed Before a United States Magistrate and Order of Reference entered February 28, 2013 (d/e 11).

The parties have stipulated that Leezer is entitled to an award of attorney fees of \$1,800.00. The Court has reviewed the record in this case,

the Motion and the supporting documents, and the Stipulation, and finds Leezer is financially eligible to receive a fee award under the EAJA, that an award of fees under the EAJA is appropriate in this case, and that \$1,800.00 is reasonable and appropriate in this case. Therefore, the Motion is allowed in accordance with the Stipulation.

Leezer has assigned her right to attorney fees to her counsel. Such an assignment is appropriate as long as the award of fees is not subject to offset for any debt that Leezer may owe the United States. See Astrue v. Ratliff, ___ U.S. ___, 130 S.Ct. 2521, 2529-30 (2010). The parties have stipulated that if counsel for the parties can verify that Leezer owes no pre-existing debt subject to offset, the Commissioner agrees to direct that the award be made payable to Leezer's attorney pursuant to the EAJA assignment duly signed by Leezer and counsel.

WHEREFORE Plaintiff Ronda J. Leezer's Application for Application for Brief in Support of Relief Under the Equal Access to Justice Act Pursuant to Sentence Four Remand (d/e 19) is ALLOWED. The Court awards Plaintiff Ronda J. Leezer \$1,800.00 in attorney fees. Plaintiff Leezer has assigned the award of fees to her attorney. Pursuant to the Stipulation, the parties' counsel shall, within ninety days of the date of this Opinion, verify whether Leezer owes any pre-existing debts subject to

offset, and the Commissioner shall pay the portion of the award that is not subject to offset directly to her attorney, D. Terrell Dempsey.

ENTER: September 6, 2013

s/ Byron G. Cudmore
UNITED STATES MAGISTRATE JUDGE