

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

JAMES A. GRISTY,)	
)	
Plaintiff,)	
)	
v.)	No. 16-cv-3334
)	
CAROLYN W. COLVIN,)	
Commissioner of Social Security,)	
)	
Defendant.)	

OPINION

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

This matter comes before the Court on Plaintiff James A. Gristy’s Motion for Attorney’s Fees (d/e 22) (Motion) and the parties’ Stipulation for Attorney’s Fees Pursuant to Pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412 (d/e 23) (Stipulation). The parties have consented, pursuant to 28 U.S.C. §636(c), to proceed before this Court. Consent to Proceed Before a United States Magistrate Judge, and Order of Reference entered June 8, 2017 (d/e 16). 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 parties have stipulated to the sum of \$5,500 for attorney’s fees and costs. See Stipulation (d/e 23). The Court has reviewed the request and determines that the request of \$5,500

in attorney fees and costs 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 James A. Gristy's Motion for Attorney's Fees (d/e 22) is ALLOWED in part. The Court awards Plaintiff James A. Gristy \$5,500 in attorney fees and costs. 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 attorney, David D. Camp.

ENTER: December 28, 2017

s/ Tom Schanzle-Haskins
TOM SCHANZLE-HASKINS
UNITED STATES MAGISTRATE JUDGE