

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**LYLE E. PAYNE,**

**Plaintiff,**

**v.**

**No. 12-CV-969-DRH**

**CAROLYN W. COLVIN,**

*Acting Commissioner of Social Security,*

**Defendant.**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is a motion for attorney fees filed by Lyle E. Payne (Doc. 23). The government has not responded to the motion and the Court considers this failure an admission of the motion's merits.

The Court, having read the Affirmation and supporting Memorandum dated the 6th day of May, 2014, from the attorneys for plaintiff in the above-captioned case, for an award of Equal Access to Justice Act fees in accordance with 28 U.S.C. § 2412, **IT IS ORDERED** that the motion for Equal Access to Justice fees in the amount of \$5,438.77 be **granted** and the costs of filing in the United States District Court, \$350.00, be reimbursed from the Judgment Fund.

**IT IS SO ORDERED.**

Signed this 16<sup>th</sup> day of June, 2014.

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David R. Herndon  
Date: 2014.06.16  
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**Chief Judge  
U.S. District Court**