

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF INDIANA
 FORT WAYNE DIVISION

RICHARD W. MOTLEY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15-CV-141-JD
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This matter is before the Court on Plaintiff’s unopposed motion to award attorney fees under the EAJA [DE 32], following the remand of this action to the Commissioner. In the motion, plaintiff’s counsel seeks an award of \$6,124.25 for attorney fees, to which the government does not object. The EAJA provides that “a court may award reasonable fees and expenses of attorneys . . . to the prevailing party in any civil action brought by or against the United States or any agency.” 28 U.S.C. § 2412(b). A party seeking an award of fees for a successful action against the government is entitled to recover his attorneys’ fees if: (1) he was a prevailing party; (2) the government’s position was not substantially justified; (3) there are no special circumstances that would make an award unjust; and (4) the application for fees is timely filed with the district court (that is, within thirty days after the judgment is final and not appealable). 28 U.S.C. § 2412(d)(1)(A), (B) and (d)(2)(G); *Cunningham v. Barnhart*, 440 F.3d 862, 863 (7th Cir. 2006); *Golembiewski v. Barnhart*, 382 F.3d 721, 723–24 (7th Cir. 2004).

Given the lack of objection to the request, the Court GRANTS the motion for attorney fees [DE 32], and AWARDS Plaintiff Richard Motley an EAJA fee in the amount of **\$6,124.25**. This award may be offset to satisfy any pre-existing debt Mr. Motley may owe to the United

