

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

HOLLY SUE HALL,)	
)	
Plaintiff,)	
)	Civil Case No.
v.)	5:13-CV-20-JMH
)	
CAROLYN W. COLVIN, ACTING)	MEMORANDUM OPINION & ORDER
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

This matter is before the Court on Plaintiff's Motion for Relief under Fed. R. Civ. P. 59(e). [DE 23]. Plaintiff requests that the Court amend its Order of April 9, 2015, to award attorney's fees to Plaintiff's counsel rather than directly payable to Plaintiff because the Plaintiff signed an EAJA fee assignment after the Court's entry of an EAJA award.

The Commissioner responded, [DE 24], and contends that Plaintiff's motion is out of time and should be denied and, nonetheless, asserts that the agency decided to waive the anti-assignment requirements and pay attorney fees directly to Plaintiff's attorney. Plaintiff has not replied, although the time to do so has passed, from which the Court concludes that Plaintiff has no objection to this assertion.

It appears, therefore, that Plaintiff's motion is moot. Regardless, Plaintiff brings her motion under Rule 59(e) but

filed it outside of the 28-day deadline imposed by that rule.
Thus, Plaintiff's motion is untimely.

Accordingly, **IT IS ORDERED** that Plaintiff's Motion to Amend
or Correct, [DE 23], is **DENIED**.

This the 18th day of June, 2015.



Signed By:

Joseph M. Hood *JMH*

Senior U.S. District Judge