

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
AT PIKEVILLE

CIVIL ACTION NO. 16-195-DLB

MELINDA TAYLOR

PLAINTIFF

V.

MEMORANDUM ORDER

NANCY A. BERRYHILL
Commissioner of Social Security

DEFENDANT

* * * * *

This matter is before the Court upon Plaintiff Melinda Taylor's Motion for Attorney's Fees. (Doc. # 12). The Commissioner having filed her Response to Plaintiff's Motion for Attorney's Fees (Doc. # 14), this matter is now ripe for the Court's review. For the reasons stated herein, Plaintiff's Motion is hereby **granted**.

The Plaintiff filed her Complaint in this matter on September 8, 2016, seeking reversal of the Commissioner's denial of her claim for Disability Insurance Benefits ("DIB"). (Doc. # 1). On January 13, 2017, the Commissioner asked this Court to remand the action for further consideration pursuant to Sentence Four of 42 U.S.C. § 405(g). (Doc. # 8). The Plaintiff did not object to the Commissioner's request for remand (Doc. # 9) and the Court entered judgment and remanded the action pursuant to Sentence Four. (Docs. # 10 and 11). Now, the Plaintiff, through counsel, has filed a Motion for Attorney's Fees, and supporting documentation, pursuant to the Equal Access to Justice Act ("EAJA"). (Doc. # 12). Specifically, Plaintiff requests an attorney's fee award in the

amount of \$1,306.50 for her attorney's work and \$400.00 for costs. The Commissioner does not oppose awarding Plaintiff the requested sums in attorney's fees and costs. (Doc. # 14). However, the Commissioner requests that the Court's Order awarding attorney's fees require that the award be payable to Plaintiff, not Plaintiff's attorney, pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010). *Id.*

Accordingly, the Court having reviewed and considered the parties' filings,

IT IS ORDERED that Plaintiff's Motion for Attorney's Fees (Doc. # 12) is hereby **GRANTED**, and Plaintiff Melinda Taylor is awarded attorney's fees in the amount of \$1,306.50 for her attorney's work and \$400.00 for costs, in accordance with the EAJA and *Astrue v. Ratliff*, 560 U.S. 586 (2010).

The 1st day of June, 2017.



Signed By:

David L. Bunning *DB*

United States District Judge

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