

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

CIVIL ACTION NO. 17-125-DLB

MARK ROARK

PLAINTIFF

vs.

MEMORANDUM ORDER

NANCY A. BERRYHILL, Commissioner
of the Social Security Administration

DEFENDANT

* * * * *

This matter is before the Court upon Plaintiff Mark Roark’s Motion for Attorney’s Fees and Costs. (Doc. # 14). The Commissioner having filed her Response to Plaintiff’s Motion for Attorney’s Fees (Doc. # 15), this matter is now ripe for the Court’s review. For the reasons stated herein, Plaintiff’s Motion is hereby **granted**.

The Plaintiff filed his Complaint in this matter on July 19, 2017, seeking reversal of the Commissioner’s denial of his claim for Disability Insurance Benefits (“DIB”). (Doc. # 1). On January 25, 2018, after the parties filed cross-motions for summary judgment, the Court entered judgment in favor of the Plaintiff and remanded the action to the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g). (Docs. # 12 and 13).

Now, the Plaintiff, through counsel, has filed a Motion for Attorney’s Fees, and a supporting affidavit, pursuant to the Equal Access to Justice Act (“EAJA”). (Docs. # 14 and 14-1). Specifically, Plaintiff requests an attorney’s fee award in the amount of \$1,625.00 for his 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. # 15). 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 Mark Roark's Motion for Attorney's Fees (Doc. # 14) is hereby **GRANTED**, and Plaintiff is awarded attorney's fees in the amount of \$1,625.00 for his attorney's work and \$400.00 for costs, in accordance with the EAJA and *Astrue v. Ratliff*, 560 U.S. 586 (2010).

This 12th day of April, 2018.



Signed By:

David L. Bunning

DB

United States District Judge

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