

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHERYL JACKSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 15-14253

Paul D. Borman
United States District Judge

Anthony P. Patti
United States Magistrate Judge

ORDER:

- (1) ADOPTING REPORT AND RECOMMENDATION (ECF NO. 21);**
- (2) GRANTING MOTION FOR AUTHORIZATION OF ATTORNEY FEES
UNDER 42 U.S.C. § 406(b) (ECF NO. 16);**
- (3) AWARDING ATTORNEY FEES IN THE AMOUNT OF \$9,732.50; AND**
- (4) ORDERING PLAINTIFF'S COUNSEL TO REFUND THE \$4,488.00 IN
ATTORNEY FEES PREVIOUSLY AWARDED UNDER THE EQUAL
ACCESS TO JUSTICE ACT**

On April 9, 2018, Magistrate Judge Anthony P. Patti issued a Report and Recommendation to grant Plaintiff's counsel's Motion for Authorization of Attorney Fees Pursuant to 42 U.S.C. § 406(b) and to award Plaintiff's counsel \$9,732.50 in attorney fees, following a successful award of benefits to Plaintiff after a remand to the Commissioner of Social Security in this case. (ECF No. 21.) Magistrate Judge Patti further recommended that this Court order Plaintiff's counsel to refund to Plaintiff the \$4,488.00 in attorneys' fees previously awarded to Plaintiff's counsel

under the Equal Access to Justice Act, 28 U.S.C. § 2412.

Having reviewed the Report and Recommendation, and there being no timely objections from either party under 28 U.S.C. § 636(b)(1) and E.D. Mich L. R. 72.1(d), the Court ADOPTS Magistrate Judge Patti's Report and Recommendation, GRANTS Plaintiff's counsel's motion for an award of fees in the amount of \$9,732.50 (ECF No. 16), and further ORDERS Plaintiff's counsel to refund to Plaintiff the \$4,488.00 EAJA fee award.

IT IS SO ORDERED.

Dated: April 25, 2018

s/Paul D. Borman
Paul D. Borman
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on April 25, 2018.

s/D. Tofil
Deborah Tofil, Case Manager