

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RONALD R. GUTZEIT,

Plaintiff,

v.

CASE NO. 16-CV-11650
HON. GEORGE CARAM STEEH

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

_____ /

**ORDER GRANTING PLAINTIFF'S
MOTION FOR ATTORNEY FEES (Doc. 27)**

Plaintiff Ronald Gutzeit brought this action challenging defendant Commissioner of Social Security's denial of his claim for social security disability benefits. By prior order of the Court dated September 12, 2017, this Court ruled in favor of Plaintiff, reversed the prior decision of the Commissioner of Social Security, and remanded to the Commissioner pursuant to a stipulation of the parties. Accordingly, Plaintiff is considered a prevailing party. Now before the court is Plaintiff's motion for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d).

Plaintiff seeks fees in the amount of \$6,479 and expenses of \$96.24 for a total award of \$6,575.24.

The Commissioner has filed a response stating that she does not object to Plaintiff's motion for attorney fees for the stated amounts. Plaintiff's counsel seeks to have the fees paid to her directly based on Plaintiff's assignment of EAJA fee form, unless there are any offsets for debts owed by Plaintiff to the government. The Commissioner does not object to paying Plaintiff's counsel directly, provided it is shown at the time of the EAJA order that Plaintiff owes no debt to the government that would be subject to offset. Accordingly,

IT IS ORDERED that Plaintiff's motion for attorney fees (Doc. 27) is GRANTED and Plaintiff is awarded EAJA fees in the amount of \$6,575.24 to be paid to Plaintiff's counsel, unless the Commissioner demonstrates that Plaintiff owes any debts to the government subject to offset. In that case, the Commissioner shall offset the debt and issue the remaining balance to Plaintiff in his name.

IT IS SO ORDERED.

Dated: December 21, 2017

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
December 21, 2017, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk