

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

CRYSTAL WATSON *as Next Friend*
of N.L.K.

PLAINTIFF

V.

NO. 1:17cv00099-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ON PETITION FOR ATTORNEY FEES

Before the court are Plaintiff's motion [31] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and Defendant's response [32]. For the reasons set out below, the motion will be granted.

In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [30] dated September 28, 2018, this court reversed and remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees in the amount of \$5,537.70 for attorney work before this court plus \$50.29 in travel expenses on the grounds that Plaintiff was the prevailing party and the Commissioner's position was not substantially justified. In her response Defendant essentially concedes that the amounts requested by Plaintiff's counsel are reasonable.

The court, having thoroughly considered the motion, the response, and the applicable law, finds the requested award is reasonable, and no special circumstance would make the award unjust. Additionally, the court finds the award should be made payable to Plaintiff. *See generally Astrue v. Ratliff*, 130 S. Ct. 2521 (2010).

THEREFORE, IT IS ORDERED:

That the Acting Commissioner shall promptly pay to Plaintiff a total of \$5,537.70 in attorney fees plus \$50.29 in expenses for the benefit of counsel for Plaintiff.

This 4th day of December, 2018.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE