

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

JAMES L. COLE

PLAINTIFF

V.

NO. 3:16CV00227-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ON PETITION FOR ATTORNEY FEES

Before the Court is Plaintiff's motion [21] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and travel expenses. In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [19] dated June 19, 2017, this Court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees in the amount of \$6,029.10 and expenses in the amount of \$50.29 on the grounds that he was the prevailing party and the Commissioner's position was not "substantially justified." The Commissioner does not object to either the request for fees or expenses and does not otherwise object to the total award. Therefore, the Court finds the requested amount is reasonable, and no special circumstance would make the requested award unjust.

THEREFORE, IT IS ORDERED:

That the Commissioner shall promptly pay to Plaintiff a total of \$6,079.39 in attorney fees and expenses for the benefit of counsel for Plaintiff.

This, 22nd day of August, 2017.

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