

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

WILLIE LOUIS POWELL

PLAINTIFF

V.

NO. 4:16CV00096-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ON PETITION FOR ATTORNEY FEES

Before the Court is Plaintiff's motion [23] 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 [22] dated February 21, 2017, this Court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees and expenses in the amount of \$6,400.69 on the grounds that he was the prevailing party and the Commissioner's position was not "substantially justified." The Commissioner has filed no response to the motion. Therefore, the Court finds the requested amount is reasonable, and no special circumstances would make the requested award unjust.

THEREFORE, IT IS ORDERED:

That the Commissioner shall promptly pay to Plaintiff a total of \$6,400.69 in attorney fees and expenses for the benefit of counsel for Plaintiff.

This, 4th day of April, 2017.

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