

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

TIMOTHY FITZGERALD,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:10CV02448 AGF
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

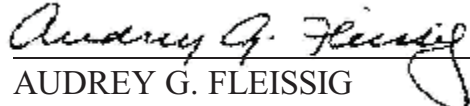
This matter is before the Court on Plaintiff’s application for an award of attorney’s fees in the amount of \$1,548.45 (8.8 hours at an hourly rate of \$175.96), pursuant to the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d)(1)(A), as the prevailing party in this action seeking judicial review of the denial of disability benefits under the Social Security Act. Plaintiff requests that the award be made payable to his attorney. The Commissioner states that he does not object to the award of fees in the amount requested, but that the fees are properly payable to Plaintiff and may be subject to offset to satisfy a pre-existing debt that Plaintiff owes to the United States.

The Court finds that Plaintiff is entitled to an award of fees and that the amount requested is reasonable and supported by appropriate documentation. Under *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010), the fee award is payable to Plaintiff, rather than to his attorney.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's application for attorney's fees is **GRANTED** in the amount of \$1,548.45. (Doc. No. 27.)

**IT IS FURTHER ORDERED** that said award shall be made payable to Plaintiff.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 10th day of September, 2012.