

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                    |   |                          |
|--------------------|---|--------------------------|
| JENNIFER SIEBERT,  | ) |                          |
|                    | ) |                          |
| Plaintiff,         | ) |                          |
|                    | ) |                          |
| v.                 | ) | Case No. 4:11 CV1330 CDP |
|                    | ) |                          |
| MICHAEL J. ASTRUE, | ) |                          |
|                    | ) |                          |
| Defendant.         | ) |                          |

**MEMORANDUM AND ORDER**

This matter is before me on plaintiff's motion for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. Although plaintiff originally sought fees in the amount of \$5,507.05, the parties have now agreed to an award of EAJA fees in the amount of \$5,235.00.

On September 21, 2012, I reversed the decision of the Commissioner and remanded the case to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further consideration. Because plaintiff prevailed and is not otherwise precluded from recovering attorney's fees and costs, I find plaintiff<sup>1</sup> is entitled to an award in the amount requested.

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<sup>1</sup>The fees are payable to plaintiff, not plaintiff's attorney. See Astrue v. Ratliff, 130 S. Ct. 2521, 2524 (2010).

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for attorney's fees  
[#25] is granted only to the following extent: defendant shall pay plaintiff  
\$5,235.00 in attorney's fees.

A handwritten signature in cursive script, reading "Catherine D. Perry", is written over a solid horizontal line.

CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of January, 2013.