

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ERIC SMITH,)
Plaintiff,)
vs.)
CAROLYN W. COLVIN,) No. 4:15CV01388 AGF
Acting Commissioner of Social Security,)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's application for attorney's fee, under the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Plaintiff is the prevailing party in his action challenging the Commissioner of Social Security's denial of his application for disability insurance benefits. Plaintiff seeks \$3,757.72 in fees, to be paid to Plaintiff's counsel pursuant to an assignment of fees to counsel, executed by Plaintiff. Plaintiff has submitted documentation supporting the requested amount of fees. Defendant responds that it does not object to the award of fees in the amount sought, but notes that *Astrue v. Ratliff*, 560 U.S. 586 (2010), mandates that the fees are to be paid directly to Plaintiff.

The Court's review of the record indicates that the amount of fees sought is reasonable and properly supported. The Court agrees with Defendant that *Astrue v. Ratliff* requires that the fees be paid directly to Plaintiff, despite the assignment of fees.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's application for attorney's fees is **GRANTED** in the amount of \$3,757.72, payable directly to Plaintiff. (Doc. No. 25.)

Audrey G. Fleissig
AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 21st day of July, 2016