Cook v. Astrue Doc. 24

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

DEBORAH E. COOK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 08-0270-SSA-CV-W-WAK
	)	
MICHAEL J. ASTRUE, Commissioner,	)	
Social Security Administration,	)	
	)	
Defendant.	)	

ORDER

On April 17, 2009, claimant Deborah Cook requested an award of attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. The Commissioner has responded to the pending motion and does not oppose the amount requested.

Under the EAJA, a prevailing party in an action brought against the United States shall be awarded attorney fees unless the position of the United States was "substantially justified" or special circumstances make an award unjust. 28 U.S.C. § 2412(d)(1)(a). Claimant was a prevailing party in this action, an award is appropriate, and the amount of fees requested is reasonable.

THEREFORE, IT IS ORDERED that claimant's motion of April 17, 2009, for an award of attorney fees and expenses under the EAJA in the amount of $6,601.53 is granted. [21]

Dated this 5th day of May, 2009, at Jefferson City, Missouri.

/s/ William A. Knox

WILLIAM A. KNOX
United States Magistrate Judge

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