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

KATRINA R. MITCHELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 08-0925-SSA-CV-W-WAK
	)	
MICHAEL J. ASTRUE, Commissioner, Social Security Administration,	)	
	)	
	)	
Defendant.	)	

ORDER

On August 12, 2009, claimant Katrina R. Mitchell requested an award of attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, and reimbursement of the filing fee. The Commissioner has responded to the pending motion and indicates the parties have agreed to an award in the amount of $4,310.41.

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 August 12, 2009, for an award of attorney fees and expenses under the EAJA in the agreed upon amount of $4,310.41 is granted. The check should be made payable to claimant's counsel, Sharon J. Meyers. [12] It is further

ORDERED that plaintiff is awarded costs in the amount of $350.00, to be paid from the Judgment Fund.

Dated this 1st day of September, 2009, at Jefferson City, Missouri.

/s/ William A. Knox

WILLIAM A. KNOX
United States Magistrate Judge

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