

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SHYANNE B HINRICHS,

Plaintiff,

vs.

**CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration;**

Defendants.

CASE NO. 4:13CV3058

**MEMORANDUM
AND ORDER**

This matter is before the Court on the Plaintiff's Motion for Attorney Fees (Filing No. 26). The request is made under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. The Defendant responded, stating that she does not object to the dollar amount. The Defendant notes the procedure described in *Astrue v. Ratliff*, 560 U.S. 586, 591-92 (2010) (holding that an EAJA fee award is payable to the litigant and therefore subject to a government offset to satisfy a pre-existing debt owed to the federal government). Once the Court awards the EAJA fee to the Plaintiff, the Assistant United States Attorney shall verify whether the Plaintiff owes a debt to the United States that is subject to offset. Assuming no debt is owed, the fee will be made payable to Plaintiff and sent to the address of her counsel.

The Court will grant the motion, and the fee will be awarded to the Plaintiff under the procedure followed in *Ratliff* and its progeny.

IT IS ORDERED:

1. The Plaintiff's Motion for Attorney Fees (Filing No. 26) is granted;
2. Attorney fees in the amount of \$3,756.09 are payable to the Plaintiff; and

3. The Defendant will submit a check made payable to the Plaintiff in the amount of \$3,756.09, less any debt owed by the Plaintiff to the United States offset against such fees, to Plaintiff's counsel of record.

Dated this 7th day of April, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge