

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

LESTER ALLEN,	:	
Plaintiff,	:	Case No. 3:13cv00140
vs.	:	District Judge Walter Herbert Rice Chief Magistrate Judge Sharon L. Ovington
CAROLYN W. COLVIN,	:	
Acting Commissioner of the Social Security Administration,	:	
Defendant.	:	

DECISION AND ENTRY

This case is before the Court upon the parties' Joint Stipulation to Award Attorney's Fees Under the Equal Access to Justice Act (Doc. #16). The parties have jointly stipulated to, and petitioned for, an award of attorney fees, costs, and expenses in the total amount of \$3,850.00 in full satisfaction and settlement of any and all claims Plaintiff may have under the EAJA, 28 U.S.C. § 2412. The parties further agree that any EAJA fees paid belong to Plaintiff and can be offset to satisfy any pre-existing debt that Plaintiff owes the United States, pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 130 S.Ct. 2521 (2010).

Accordingly, the Court hereby **ORDERS** that:

1. The parties' Joint Stipulation to Award Attorney's Fees Under The Equal

Access To Justice Act (Doc. #16) is accepted, and Defendant shall pay Plaintiff's attorney fees, costs, and expenses under 28 U.S.C. § 2412 in the total amount of \$3,850.00;

2. Defendant shall verify, **within thirty days of this Decision and Entry,** whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's attorney; and
3. The case remains terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge