

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

CHRISTOPHER D. AMMONS,	:	Case No. 3:15-cv-387
	:	
Plaintiff,	:	District Judge Thomas M. Rose
	:	Chief Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
CAROLYN W. COLVIN,	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.	:	

DECISION AND ORDER

This case is before the Court on Plaintiff’s Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412, (Doc. #15) and Defendant’s Non-Opposition to Award of Attorney’s Fees under the EAJA (Doc. #16). Plaintiff asks for an award of \$2,347.50 in attorney fees and \$400.00 in costs, for a total of \$2,747.50, under the EAJA. Defendant does not oppose Plaintiff’s motion. This award will satisfy any and all of Plaintiff’s claims for fees, costs, and expenses under 28 U.S.C. § 2412 in this case. Any fees paid belong to Plaintiff, and said fees can be offset to satisfy pre-existing debt that Plaintiff owes the United States under *Astrue v. Ratliff*, 560 U.S. 586 (2010).

After the Court enters this award, if counsel for the parties can verify that Plaintiff owes no pre-existing debt subject to offset, Defendant agrees to direct that the

award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act (Doc. #15) is granted, and the Commissioner shall pay Plaintiff's attorney fees, costs, and expenses in the total amount of \$2747.50;
2. Counsel for the parties 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 counsel pursuant to the EAJA assignment signed by Plaintiff; and
3. The case remains terminated on the docket of this Court.

DONE and ORDERED in Dayton, Ohio, this Wednesday, October 12, 2016.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE