Jones v. Social Security Administration Doc. 22

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

CHRISTOPHER J. JONES,	)	
Plaintiff,	)	
vs.	)	**Case No.: 10-CV-00481 JHP-KEW**
MICHAEL J. ASTRUE, Commissioner of the Social Security Administration,	)	
Defendant.	)	

O R D E R

Before the Court is Plaintiff's motion for an award of attorney fees and costs pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. (Doc. No. 21) Specifically, Plaintiff seeks an award of attorney fees in the amount of $5,670.60. The court finds that the requested fees are payable to the Plaintiff. Plaintiff's motion for an award of attorney fees pursuant to the EAJA (Doc. No. 21) is GRANTED, and Plaintiff is awarded his attorney fees in the amount of $5,670.60.

This amount shall be payable to Plaintiff, with payment issued by check to the order of the Plaintiff and in care of Plaintiff's attorney and with the check mailed directly to Plaintiff's attorney. Should Plaintiff's counsel ultimately receive attorney fees pursuant to 42 U.S.C. § 406(b), he shall refund to plaintiff any excess payment so as to avoid double payment for the same work. See, Weakley v. Bowen, 803 F.2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED this 18th day of May, 2012.

James H. Payne
United States District Judge
Eastern District of Oklahoma

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