IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MARY PIERCE,   **3:15-cv-00325-AC**

                    Plaintiff,   **ORDER**

v.

COMMISSIONER, Social Security
Administration,[1]

                    Defendant.

BROWN, Senior Judge.

     Magistrate Judge John V. Acosta issued Findings and

Recommendation (#43) on May 3, 2018, in which he recommends this

Court grant Plaintiff Mary Pierce's Motion (#39) for Attorneys

Fees Under 42 U.S.C. § 406(b) and award fees in the amount of

_____

     [1] Nancy A. Berryhill's term as the Acting Commissioner of
the Social Security Administration ended on November 17, 2017,
and a new Commissioner has not been appointed. The official
title of the head of the Social Security Administration (SSA) is
the "Commissioner of Social Security." 42 U.S.C. § 902(a)(1). A
"public officer who sues or is sued in an official capacity may
be designated by official title rather than by name." Fed. R.
Civ. P. 17(d). This Court, therefore, refers to Defendant only
as Commissioner of Social Security.

1 - ORDER

$14,310.50. The matter is now before this Court pursuant to 28

U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and

Recommendation were timely filed, this Court is relieved of its

obligation to review the record *de novo*. *Dawson v. Marshall*, 561

F.3d 930, 932 (9th Cir. 2009). *See also Decker v. Berryhill*, 856

F.3d 659, 663 (9th Cir. 2017). Having reviewed the legal

principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and

Recommendation (#43). Accordingly, the Court **GRANTS** Plaintiff's

Motion (#39) for Attorney Fees Under 42 U.S.C. § 406(b) and

AWARDS attorneys' fees in the amount of $14,310.50. In light of

the EAJA fees previously awarded in the amount of $6,025.63, the

amount due is $**8,284.87**.

IT IS SO ORDERED.

DATED this 23rd day of May, 2018.

/s/ Anna J. Brown

ANNA J. BROWN
United States Senior District Judge