

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

Bobbie J. Tumbleston, Jr.,)	
)	C/A No.: 0:13-00152-CMC
Plaintiff,)	
)	
v.)	
)	ORDER
Carolyn W. Colvin, ¹)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	
)	

This matter is before the court on Plaintiff's petition for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. Dkt. No. 20. Plaintiff seeks an award of attorney's fees in the amount of \$2,320.00, representing 14.50 attorney hours at the rate of \$160.00 per hour, and costs in the amount of \$19.80.

The Commissioner has filed a response indicating that she does not oppose Plaintiff's motion for attorney's fees in the amount sought in the petition. Dkt. No. 26. Accordingly, the court finds that the amount sought is reasonable and orders, pursuant to the EAJA, that Plaintiff be awarded \$2,320.00 in attorney's fees and \$19.80 in costs.

IT IS SO ORDERED.

S/ Cameron McGowan Currie

CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
October 23, 2013

¹ Carolyn W. Colvin is substituted as the Defendant in this action because she became the Acting Commissioner of Social Security on February 14, 2013. As provided in the Social Security Act, "[a]ny action instituted in accordance with this subsection shall survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office." 42 U.S.C. § 405(g). For ease, the court refers to the Acting Commissioner as the Commissioner.