

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

John Samuel Leppard, Jr.,)	C/A No. 1:11-2453-MGL-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Michael J. Astrue, Commissioner of)	
Social Security,)	
)	
Defendant.)	
_____)	

This matter is before the court on Plaintiff’s motion for attorney’s fees [Entry #25]. Plaintiff initiated this action on September 13, 2011, pursuant to § 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g), to obtain judicial review of the final administrative determination of the Commissioner of Social Security denying Plaintiff’s claim for Social Security Disability Insurance Benefits pursuant to Title II of the Social Security Act. Upon receipt of the transcript of the administrative proceedings, counsel for Plaintiff submitted a brief on his behalf on March 17, 2012. On May 16, 2012, the court granted Defendant’s motion to remand. On May 17, 2012, judgment was entered reversing the decision of the Commissioner pursuant to sentence four of 42 USC § 405(g) for further proceedings.

Plaintiff then properly filed and documented a request for fees, costs, and expenses pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (“the EAJA”), totaling \$2,957.63. Plaintiff and the Commissioner subsequently filed a joint stipulation indicating

that the parties had agreed, in the interest of administrative and judicial economy, that an award of \$2,900.00 in attorneys fees was reasonable in this case. [Entry #26].

Accordingly, the court grants the motion, as amended by the joint stipulation, and directs the Commissioner to pay Plaintiff \$2900.00 by August 13, 2012. Such payment shall constitute a complete release from and bar to any and all further claims that Plaintiff may have under the EAJA to fees, costs, and expenses incurred in connection with disputing the Commissioner's decision. This award is without prejudice to the rights of Plaintiff's counsel to seek attorney fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA.

IT IS SO ORDERED.

/s/ Mary G. Lewis
United States District Judge

July 13, 2012
Spartanburg, South Carolina.