



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

FRANK PALESTRO,
Plaintiff,

vs.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,
Defendant.

§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 1:16-cv-707-MGL

ORDER

This matter is before the Court on the parties' joint Stipulation for an Award of Attorney's Fees Pursuant to the Equal Access to Justice Act (EAJA) (ECF No. 28) informing the Court of their agreement to stipulate to an award of One Thousand Five Hundred Seventy-Nine Dollars and Thirty-Two Cents (\$1,579.32) in attorney's fees, Twenty Dollars and Sixty-Eight Cents (\$20.68) in expenses, and Four Hundred Dollars (\$400.00) in costs.

In accordance with *Astrue v. Ratliff*, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees awarded by the Court belong to the litigant, thus subjecting EAJA fees to offset under the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B), and, therefore, the Court directs fees be payable to the Plaintiff and delivered to Plaintiff's counsel. Accordingly,

IT IS ORDERED that the stipulation for attorney's fees is granted in the amount of One

Thousand Five Hundred Seventy-Nine Dollars and Thirty-Two Cents (\$1,579.32) in attorney fees (\$1,579.32), Twenty Dollars and Sixty-Eight Cents (\$20.68) in expenses, and Four Hundred Dollars (\$400.00) in costs.

IT IS SO ORDERED.

s/Mary Geiger Lewis
MARY GEIGER LEWIS
United States District Judge

Dated: April 6, 2017
Columbia, South Carolina