

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

Miriam Ellenburg, )  
 )  
 Plaintiff, )  
 )  
 v. ) Civil Action No. 1:16-3120-BHH  
 )  
 Nancy A. Berryhill, Acting )  
 Commissioner of Social Security, ) **ORDER**  
 )  
 Defendant. )  
 )

---

This matter is before the Court upon Plaintiff's motion for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. In her motion, Plaintiff seeks attorney's fees in the amount of \$2,590.00, representing 5.5 attorney hours at the hourly rate of \$185.00 and 17 paralegal hours at the hourly rate of \$92.50, as well as \$20.01 in expenses.

On May 22, 2017, Defendant filed a response notifying the Court that she does not oppose Plaintiff's motion. Therefore, after review, it is hereby

**ORDERED** that Plaintiff's motion (ECF No. 15) is granted, and Plaintiff is awarded a total of \$2610.01 pursuant to EAJA.<sup>1</sup>

**IT IS SO ORDERED.**

s/Bruce Howe Hendricks  
Bruce Howe Hendricks  
United States District Judge

May 25, 2016  
Charleston, South Carolina

<sup>1</sup> As the Supreme Court made clear in *Astrue v. Ratliff*, attorney's fees under EAJA are made payable to the prevailing litigant and not to the litigant's attorney. 560 U.S. 586, 598 (2010) (holding that the plain text of EAJA requires that attorney's fees be awarded to the litigant, thus subjecting EAJA fees to an offset of any pre-existing federal debts).