

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

Joseph Edward Poston,)
Plaintiff,) C/A No. 1:17-0345-MBS
vs.)
Nancy A. Berryhill, Acting Commissioner)
of Social Security,)
Defendant.)

)

ORDER

Plaintiff Joseph Edward Poston brought this action to obtain judicial review of a final decision of Defendant Commissioner of Social Security denying Plaintiff's application for disability insurance benefits. By order filed December 7, 2017, the case was reversed pursuant to sentence four of 42 U.S.C. § 405(g) and remanded to the Commissioner for further proceedings.

This matter now is before the court on Plaintiffs motion for attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), which motion was filed January 4, 2018. Counsel moves for attorneys' fees in the amount of \$4,175.00 and expenses in the amount of \$29.55. On January 16, 2018, the Commissioner filed a Stipulation for An Award of Attorney's Fees, indicating that counsel has agreed to attorneys' fees in the amount of \$3,500.00 and expenses in the amount of \$29.55.

Plaintiff's motion for fees under the EAJA (ECF No. 23) is **granted** in the amount of \$3,529.55 (\$3,500.00 + \$29.55), to be paid in accordance with the procedures set forth in the Commissioner's response.

IT IS SO ORDERED.

/s/ Margaret B. Seymour

Senior United States District Judge

Columbia, South Carolina
January 30, 2018