

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

Karen Rochelle Johnson,

Plaintiff,

vs.

**Carolyn W. Colvin, Acting Commissioner
of the Social Security Administration,**

Defendant.

Civil Action No: 4:13-cv-01774-JMC

ORDER

This matter is before the court upon motion of Plaintiff, through her attorney, Danny Mayes, for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (ECF No. 39). Plaintiff's motion seeks reimbursement for her counsel's representation in the captioned matter in the amount of \$4,339.63 for fees (23.3 hours at \$186.25 per hour), \$7.00 for costs and \$16.00 for expenses. Defendant's response to Plaintiff's motion (ECF No. 40) notifies the court that she does not oppose Plaintiff's request for fees in the amount stated herein.

The court has reviewed Plaintiff's counsel's fee petition that was submitted and finds counsel's request for fees reasonable. Therefore, Plaintiff is entitled to an award of attorney's fees under the EAJA in the amount of \$4,339.63 and \$16.00 in expenses. See 28 U.S.C. §§ 2412(c)(1) and 2414. Further, Plaintiff is entitled to \$7.00 in costs, to be paid from the Department of the Treasury's Judgment Fund.

In accordance with *Astrue v. Ratliff*, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees awarded by this court belong to the litigant, thus subjecting EAJA fees to offset under the

Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)) and, therefore, the court directs that fees be payable to Plaintiff and delivered to Plaintiff's counsel.

IT IS ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style with a large initial "J" and a stylized "C".

UNITED STATES DISTRICT JUDGE

December 15, 2014
Columbia, South Carolina