

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

NORMAN J. CERCOPLY,)	CIVIL ACTION NO. 4:15-00729-TER
)	
)	
Plaintiff,)	
vs.)	
)	
CAROLYN W. COLVIN, ACTING)	ORDER
COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	
_____)	

This matter is before the court upon motion of Norman Cercoply (“Plaintiff”) through his attorney, Robertson H. Wendt, Jr., for an award of attorney’s fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412. (ECF No. 29). Plaintiff’s motion seeks reimbursement for Counsel’s representation in the above-captioned matter in the amount of Six Thousand Nine Hundred Thirty-Four Dollars and 86/100 (\$6,934.86) in attorney’s fees and Four Hundred Dollars (\$400.00) in costs. See 28 U.S.C. §§2412(c)(1), 2414. Defendant did not file a response to Plaintiff’s motion. However, the parties filed a joint stipulation indicating that the parties have conferred and agree on the amount of attorney’s fees Plaintiff will receive. (ECF No. 33). Pursuant to the EAJA, 28 U.S.C. §2412(d), and in the interest of judicial economy, the parties have agreed to stipulate to an award of Six Thousand and Two Hundred Dollars (\$6,200.00) in attorney fees and Four Hundred Dollars (\$400.00) in costs. See U.S.C. §§ 2412(c)(1), 2414. (ECF No. 33).

The court has reviewed Counsel’s fee petition and the joint stipulation that was submitted by the parties and finds Counsel’s stipulated request for fees reasonable.

Therefore, Plaintiff is entitled to an award of attorney's fees under the EAJA in the stipulated amount of \$6,200.00 in attorney's fees. The award of attorney's fees in the amount of \$6,200.00 and the award for reimbursement of court costs in the amount of \$400.00 shall be paid under the EAJA.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586, 596-97 (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)(A)(i)) and, therefore, the court directs that fees be payable to Plaintiff and delivered to Plaintiff's counsel.

IT IS SO ORDERED.

s/Thomas E. Rogers, III
Thomas E. Rogers, III
United States Magistrate Judge

January 18, 2017