

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

ALBERT SMITH, JR.,)
vs.)
Plaintiff,) C/A NO.: 4:15-CV-1136-TER
vs.)
CAROLYN COLVIN, ACTING) ORDER
COMMISSIONER OF THE SOCIAL)
SECURITY ADMINISTRATION,)
Defendants.)

)

This matter is before the Court upon motion for approval of the Parties' Joint Stipulation evidencing their agreement for attorney's fees pursuant to the Equal Access to Justice Act (EAJA). See 28 U.S.C. §2412. The parties have agreed to stipulate that an award of \$4222.00 in attorney fees under the EAJA is reasonable in this case.

Upon review of the material submitted to the court, the motion for approval of the Parties' Joint Stipulation for Attorney's Fees (ECF No. 24) is granted and the stipulation approved, as outlined in the Joint Stipulation.¹ The Commissioner shall pay the Plaintiff attorney's fees under the EAJA in the amount of \$4,222.00.

Payment of the fees and expenses noted herein shall constitute a complete release from and bar to any and all claims Plaintiff may have relating to EAJA fees in connection with this action. This award is without prejudice to the right of Plaintiff to seek attorney fees under Section 206(b) of the Social Security Act, subject to the offset provisions of the EAJA. Further, the award of fees shall be made payable to the Plaintiff, but delivered to the office of Plaintiff's counsel. See Astrue v. Ratliff, 560 U.S. 586, 596-98 (2010).

¹ Pursuant to the Joint Stipulation, the previously filed petition for EAJA fees (doc. #22) is withdrawn.

IT IS SO ORDERED.

s/ Thomas E. Rogers, III

Thomas E. Rogers, III

United States Magistrate Judge

August 30, 2016
Florence, South Carolina