

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

KENDRICK MAKINS, )  
Plaintiff, )  
vs. )  
NANCY A. BERRYHILL, )  
ACTING COMMISSIONER OF )  
SOCIAL SECURITY )  
ADMINISTRATION, )  
Defendant. )

Civil Action No: 5:17-1497-MGL

ORDER

\_\_\_\_\_ )  
This matter is before the Court on Plaintiff’s Motion for an Award of Attorney’s Fees pursuant to the Equal Access to Justice Act (“EAJA”) filed January 26, 2019. ECF No. 26. See 28 U.S.C. § 2412. On February 6, 2019, Defendant filed a response in support of Plaintiff’s motion and agreeing with Plaintiff’s calculation of \$3,248.44 for attorney’s fees and \$22.69 for expenses. ECF No. 27.

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)) and, therefore, this Court **DIRECTS** fees be payable to the Plaintiff and delivered to Plaintiff’s counsel. Accordingly,

**IT IS ORDERED** Plaintiff’s motion for attorney’s fees pursuant to the EAJA is **GRANTED** in the amount of \$3,248.44 in attorney’s fees and \$22.69 in expenses.

\_\_\_\_\_  
/s Mary Geiger Lewis

MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE

February 6, 2019  
Columbia, South Carolina