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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA GREENVILLE DIVISION

Bridges Ann Mealing,	)
Plaintiff,	) C.A. No. 6:08-2478-HMH-WMC
vs.	OPINION AND ORDER
Michael J. Astrue, Commissioner of	)
Social Security Administration,	)
	)
Defendant.	)

This matter is before the court on a motion for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"). See 28 U.S.C. § 2412(d)(1)(A). Bridges Ann Mealing ("Mealing") seeks attorney's fees for services rendered in the above-captioned social security action in the amount of Four Thousand Seven Hundred Ninety-Two Dollars and Ninety Cents (\$4,792.90) (calculated at \$167.00 per hour for 28.7 hours) and \$16.00 in expenses and \$7.00 in costs.¹ The Commissioner does not object to the request for attorney's fees and expenses.² Further, the court finds the hourly rate and number of hours to be reasonable.

<sup>&</sup>quot;it is settled law that the attorney does not have standing to apply for the EAJA fees; that right belongs to the prevailing party." <u>Stephens v. Astrue</u>, 565 F.3d 131, 137-38 (4th Cir. 2009) (internal quotation marks omitted).

<sup>&</sup>lt;sup>2</sup> Costs are paid from the Department of Justice Judgment Fund.

Therefore, it is

**ORDERED** that Mealing is awarded attorney's fees in the amount \$4,792.90, expenses in the amount of \$16.00, and costs in the amount of \$7.00.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr. Senior United States District Judge

Greenville, South Carolina October 5, 2009