

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Phillip Stewart Yarbrough,)	Civil Action No.: 8:15-cv-04930-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Nancy A. Berryhill, Acting)	
Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	
)	

On May 9, 2017, Plaintiff filed a motion seeking attorney's fees and expenses pursuant to the Equal Access to Justice Act,¹ asserting the position taken by Defendant in this action was not substantially justified. *See* ECF No. 23. Plaintiff requested an award of attorney's fees in the amount of \$4,656.94 and expenses in the amount of \$16.00. *Id.* On May 12, 2017, Defendant filed a response to Plaintiff's motion stating she does not oppose payment of Plaintiff's requested amount of attorney's fees and expenses. *See* ECF No. 24.

After careful consideration, the Court **GRANTS** Plaintiff's motion [ECF No. 23] and **ORDERS** Defendant to pay attorney's fees in the amount of \$4,656.94, subject to the Treasury Offset Program² if Plaintiff owes an outstanding debt to the federal government, and expenses in the amount of \$16.00. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the attorney's fees shall be paid directly to Plaintiff and mailed to his attorney, with a copy sent to Plaintiff.

IT IS SO ORDERED.

¹ 28 U.S.C. § 2412(d).

² 31 U.S.C. § 3716.

May 15, 2017
Florence, South Carolina

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge