

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

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| ERIC JEFFERSON HOBSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 3:11-cv-00737 |
| v. |) | |
| |) | Judge Nixon |
| CAROLYN W. COLVIN, |) | Magistrate Judge Bryant |
| Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

ORDER

Pending before the Court is Plaintiff Eric Jefferson Hobson’s Application for Attorney Fees under the Equal Access to Justice Act, 28 U.S.C. § 2412 (“Motion”) (Doc. No. 25), filed with a Memorandum in Support (Doc. No. 25-2), an affidavit of Plaintiff’s attorney (Doc. No. 25-1), and an Assignment of EAJA Fee (Doc. No. 25-3). Mr. Hobson seeks \$2,452.80 in attorney’s fees, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (d)(1)(A). (Doc. No. 25.) Defendant Commissioner of Social Security filed a Response to the Motion, stating she has no objection to Mr. Hobson’s request. (Doc. No. 26.)

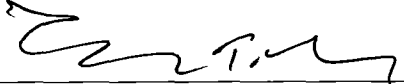
Under the EAJA, a prevailing party in litigation against the United States may seek attorney’s fees, so long as the party files for the fees within thirty days of the final judgment. 28 U.S.C. § 2412(d)(1)(A)–(B) (2012). Federal Rule of Appellate Procedure 4(a) provides parties sixty days following the entry of judgment for to appeal in civil suits to which a federal officer is a party, after which, the judgment becomes final. *Shalala v. Schaefer*, 509 U.S. 292, 302 (1993). In social security cases, a sentence of remand to the Commissioner by the court constitutes a victory for the plaintiff, such that he or she may seek attorney’s fees under the EAJA. *Shalala*, 509 U.S. at 301.

Here, on May 22, 2013, the Court reversed a decision of the Administrative Law Judge denying benefits to Mr. Hobson and remanded the case to the Commissioner for further proceedings. (Doc. No. 23.) Mr. Hobson filed the instant Motion on June 25, 2013. (Doc. No. 25.) Mr. Hobson requests \$2,452.80 in fees, based on 23.9 hours of work at a rate of \$168.00 per hour. (Doc. No. 25-1 at 4.) The Commissioner does not object to the award and states that the award will be paid to Mr. Hobson's attorney, subject to any applicable offsets for pre-existing debt Mr. Hobson owes the Government. (Doc. No. 26 at 1.)

The Court finds that \$2,452.80 is a reasonable award for the work performed by Mr. Hobson's counsel. Accordingly, the Motion (Doc. No. 25) is **GRANTED**.

It is so ORDERED.

Entered this the 10th day of July, 2013.



JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT