

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DAVID W. BEATTY

§

V.

§

CASE NO. 4:08cv404

§

(Judge Schneider/Judge Mazzant)

§

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION

§

§

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On June 9, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act should be GRANTED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act (Dkt. #26) is GRANTED. Defendant shall pay ten thousand seven hundred and forty-nine dollars and seventy-three cents (\$10,749.73) as reasonable attorney's fees and costs to the attorney for Plaintiff

IT IS SO ORDERED.

SIGNED this 1st day of July, 2010.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE