

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CARLOS A. GONZALEZ,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of the Social Security
Administration,

Defendant.

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CIVIL ACTION NO. H-12-3297

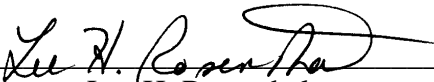
MEMORANDUM AND ORDER

The plaintiff, Carlos Gonzalez, has moved for attorney’s fees under 28 U.S.C. § 2412, the Equal Access to Justice Act (EAJA). (Docket Entry No. 15). Gonzalez prevailed in this court, which reversed the Commissioner’s decision. The Commissioner does not dispute that a fee award under EAJA is appropriate. Gonzalez seeks a fee award of \$6,784.73 for 37.40 hours of legal services, paid directly to the attorney, William C. Herren. The Commissioner disputes only one aspect of the fees sought—the 6.95 hours incurred in compiling and summarizing the attorney time spent and preparing the EAJA fee application. The Commissioner asserts that 1.5 hours is sufficient, because the work efficiently copied much of the language and format of prior similar applications, and because most of the work is clerical in nature. (Docket Entry No. 16).

The court agrees that 6.75 hours for the preparation of the short summary and the supporting motion and affidavit is excessive. The court finds, however, that 3 hours is an appropriate amount of time, recognizing that checking and verifying the information set out before attesting to it in an affidavit is properly included in the time.

The revised fee award is based on 33.65 hours times \$181.41 per hour. The total awarded is \$6,104.44. The court orders that this sum be paid to William C. Herren, counsel for Carlos Gonzalez.

SIGNED on August 18, 2014, at Houston, Texas.



Lee H. Rosenthal
United States District Judge