

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JOHN RAY MELVIN,

Plaintiff,

v.

Case No: 6:16-cv-137-LHP

COMMISSIONER OF SOCIAL
SECURITY,

Defendant

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

MOTION: SHEA A. FUGATE'S UNOPPOSED SECOND REQUEST FOR AUTHORIZATION TO CHARGE A REASONABLE FEE AND MEMORANDUM ON REASONABLE FEES PURSUANT TO 42 U.S.C. § 406(b) (Doc. No. 32)

FILED: October 21, 2024

THEREON it is ORDERED that the motion is DENIED without prejudice.

In this social security case, Shea A. Fugate, Esq. petitions the Court for an award of attorney's fees pursuant to 42 U.S.C. § 406(b). Doc. No. 32. Upon

review, however, the Notice of Change in Benefits on which Attorney Fugate bases the request issued on August 19, 2024. Doc. No. 32-2. Thus, it appears that Attorney Fugate's request is untimely. See Local Rule 7.01(e) (requiring a motion for attorney's fees in a social security action after remand to be filed "[n]o later than fourteen days after receipt of a 'close-out' letter"). Accordingly, the request (Doc. No. 32) is **DENIED without prejudice**. If Attorney Fugate renews the motion, she must establish, by citation to evidence and legal authority, that her request is timely.

DONE and ORDERED in Orlando, Florida on October 22, 2024.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties