

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**JENNIFER BURROUGHS,**

**Plaintiff,**

**v.**

**Case No.: 8:16-cv-2433-T-AAS**

**NANCY A. BERRYHILL, acting  
Commissioner of Social Security,<sup>1</sup>**

**Defendant.**

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**ORDER**

This cause comes before the Court on Plaintiff's Petition for Attorney Fees. (Doc. 23). Plaintiff seeks attorney's fees in the amount of \$4,659.23 pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412.

The Court entered an Order reversing and remanding the case to the Commissioner for further administrative proceedings. (Doc. 21). The Clerk entered judgment in favor of Plaintiff thereafter. (Doc. 22). As the prevailing party, Plaintiff now requests an award of fees. *See* 28 U.S.C. § 2412(a)(1) & (d)(1)(A). As judgment for Plaintiff was entered on September 21, 2017, and Plaintiff's Petition for Attorney Fees was filed on December 13, 2017, the Court has jurisdiction to award the requested fees. *See* 28 U.S.C. § 2412(d)(1)(B).

The Commissioner does not oppose the requested relief. (Doc. 23, p. 2). After issuance of an order awarding EAJA fees, however, the United States Department of the Treasury will determine whether Plaintiff owes a debt to the government. If Plaintiff has no discernable federal

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<sup>1</sup> Between the filing of this suit and the entry of this Order, Nancy A. Berryhill replaced Carolyn W. Colvin. As such, Ms. Berryhill is "automatically substituted as a party." Fed. R. Civ. P. 25(d).

debt, the government will accept Plaintiff's assignment of EAJA fees and pay the fees directly to Plaintiff's counsel. (Doc. 23, Ex. B).

For the reasons set out in Plaintiff's motion, therefore, it is hereby **ORDERED:**

1. Plaintiff's Petition for Attorney Fees (Doc. 23) is **GRANTED**.
2. Plaintiff is awarded **\$4,659.23** in attorney's fees pursuant to the EAJA.

**DONE AND ORDERED** in Tampa, Florida, on this 13th day of December, 2017.

A handwritten signature in black ink, reading "Amanda Arnold Sansone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

AMANDA ARNOLD SANSONE  
United States Magistrate Judge