

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

**LEMEKO L. MAYES,**

**Plaintiff,**

**v.**

**Case No.: 8:16-cv-3249-T-AAS**

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

**Defendant.**

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**ORDER**

Lemeko L. Mayes moves for an award of attorney's fees in the amount of \$6,130.87, pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Doc. 18). The Commissioner does not oppose the requested relief. (Doc. 18-6).

The court entered an order reversing and remanding this case under sentence four of 42 U.S.C. § 405(g) to the Commissioner for further administrative proceedings. (Doc. 16). The Clerk entered judgment in favor of Ms. Mayes thereafter. (Doc. 17). As the prevailing party, Ms. Mayes now requests an award of attorney's fees. *See* 28 U.S.C. § 2412(a)(1) & (d)(1)(A).

After issuance of an order awarding EAJA fees, however, the United States Department of the Treasury will determine whether Ms. Mayes owes a debt to the government. If Ms. Mayes has no discernable federal debt, the government will accept Ms. Mayes' assignment of EAJA fees and pay the fees directly to counsel. (Doc. 18-5).

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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 acting Commissioner. As such, Ms. Berryhill is "automatically substituted as a party." Fed. R. Civ. P. 25(d).

For the reasons set out in Ms. Mayes' motion, it is **ORDERED** that Ms. Mayes' Unopposed Motion for Attorney's Fees (Doc. 18) is **GRANTED**. Ms. Mayes is awarded attorney's fees in the amount of **\$6,130.87**, pursuant to the EAJA.

**ORDERED** in Tampa, Florida, on this 21st day of June, 2018.

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