

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

**DAVID MORALES, JR.,**

**Plaintiff,**

**v.**

**Case No: 6:18-cv-194-Orl-28GJK**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

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**ORDER**

This case is before the Court on Plaintiff's Unopposed Motion for Attorney's Fees (Doc. 19) pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). Plaintiff seeks an award of \$5,627.90 in attorney's fees and \$400.00 in costs for the filing fee. Plaintiff also requests, pursuant to an assignment agreement, that the Court authorize payment of the attorney's fees directly to Plaintiff's counsel (rather than Plaintiff) if the Commissioner determines that Plaintiff does not owe a debt to the government.

The assigned United States Magistrate Judge has submitted a Report (Doc. 20) recommending that the motion be granted to the extent that the Court award EAJA fees to Plaintiff in the sum requested as well as costs of \$400.00. The Report recommends that the motion otherwise be denied. The parties have filed a Joint Statement in Response to the Report and Recommendation (Doc. 21) in which they state that neither party objects to the Report and Recommendation.

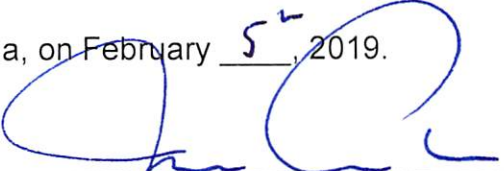
After review of the record in this matter, and noting that neither party objects to the Report, the Court agrees with the findings and conclusions in the Report and

Recommendation. Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation (Doc. 20) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. Plaintiff's Unopposed Motion for Attorney's Fees (Doc. 19) is **GRANTED** only to the extent that Plaintiff is awarded EAJA attorney's fees, as the prevailing party, in the sum of \$5,627.90, plus costs of \$400.00. The motion is otherwise **DENIED**.

**DONE** and **ORDERED** in Orlando, Florida, on February 5<sup>th</sup>, 2019.

  
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JOHN ANTOON II  
United States District Judge

Copies furnished to:  
United States Magistrate Judge  
Counsel of Record