UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT EBINGER,

Plaintiff,

v. Case No. 8:18-cv-2162-AEP

NANCY A. BERRYHILL,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.
_____/

ORDER

This cause comes before the Court on Plaintiff's Petition for Attorney Fees (Doc. 22). By the motion, Plaintiff seeks attorney's fees in the amount of $5,903.70, pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. On April 18, 2019, this Court entered an Order reversing and remanding the case under sentence four of 42 U.S.C. § 405(g) to the Commissioner for further administrative proceedings (Doc. 20). The Clerk entered judgment in favor of Plaintiff thereafter (Doc. 21). Accordingly, as the prevailing party, Plaintiff now requests an award of fees. *See* 28 U.S.C. § 2412(d)(1)(A).

The Commissioner does not oppose the requested relief (Doc. 22). 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 debt, the government will accept Plaintiff's assignment of EAJA fees (Doc. 22-2) and pay the fees directly to Plaintiff's counsel. For the reasons set out in Plaintiff's motion, therefore, it is hereby

ORDERED:

1. Plaintiff's Petition for Attorney Fees (Doc. 22) is GRANTED.

2. Plaintiff is awarded fees in the amount of $5,903.70. Unless the Department of Treasury determines that Plaintiff owes a federal debt, the government must pay the fees to Plaintiff's counsel in accordance with Plaintiff's assignment of fees.

DONE AND ORDERED in Tampa, Florida, on this 24th day of June, 2019.

ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record