

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANDRE BARRY,

Plaintiff,

v.

Case No: 2:19-cv-510-JLB-NPM

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

_____ /

ORDER

The Magistrate Judge has entered a Report and Recommendation, recommending that Plaintiff's Motion for an Award of Attorney's Fees Under the Equal Access to Justice Act 28 USC § 2412 ([Doc. 38](#)) be denied. ([Doc. 45.](#)) No party has objected, and the time to do so has expired.


A district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). The district judge must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." Id.

Here, after an independent review of the record, and noting that no objection has been filed, the Court finds that the thorough and well-reasoned Report and Recommendation is due to be adopted.

Accordingly, it is **ORDERED**:

1. The Report and Recommendation ([Doc. 45](#)) is **ADOPTED**.
2. Plaintiff's Motion for an Award of Attorney's Fees Under the Equal Access to Justice Act 28 USC § 2412 ([Doc. 38](#)) is **DENIED**.
3. Plaintiff's request for oral argument on his Motion for an Award of Attorney's Fees (see [Doc. 44 at 10](#)) is **DENIED**.

ORDERED at Fort Myers, Florida, on October 6, 2022.



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE