

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JOSE RODRIGUEZ,

Plaintiff,

v.

Case No: 2:21-cv-56-JLB-NPM

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ORDER

The Magistrate Judge has entered a Report and Recommendation, recommending that Plaintiff's Application for Award of Attorney Fees Pursuant to the Equal Access to Justice Act [28 U.S.C. § 2412\(d\)](#) on Consent and Without Objection by the Government ([Doc. 39](#)) be granted in part. ([Doc. 40.](#)) 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. 40](#)) is **ADOPTED**.
2. Plaintiff's Application for Award of Attorney Fees Pursuant to the Equal Access to Justice Act [28 U.S.C. § 2412\(d\)](#) on Consent and Without Objection by the Government ([Doc. 39](#)) is **GRANTED in part**.
3. Plaintiff's motion is granted to the extent that the Court awards Plaintiff \$7,260.00 in attorney's fees and \$402.00 in costs. If the United States Department of Treasury determines that Plaintiff does not owe a federal debt, the Government may pay the award directly to Plaintiff's counsel.
4. Plaintiff's motion is denied to the extent that it seeks any greater or different relief.
5. The Clerk of Court is **DIRECTED** to enter judgment in Plaintiff's favor accordingly.

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



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE