

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

EMMA ELISHA BROWN,

Plaintiff,

v.

Case No. 6:22-cv-006-JRK

KILOLO KIJAKAZI,
Acting Commissioner of Social
Security,

Defendant.

_____/

ORDER

This cause is before the Court on Plaintiff's Motion for Attorney's Fees and Affidavit Under the Equal Access to Justice Act (Doc. No. 32; "Motion"), filed June 29, 2023. In the Motion, Plaintiff seeks an award of attorney's fees pursuant to the Equal Access to Justice Act ("EAJA") in the total amount of \$2,464.50, consisting of \$2,062.50 in fees and reimbursement of the \$402 filing fee. Motion at 1, 2; Affidavit of Counsel for the Plaintiff (Doc. No. 32 pp.3-6; "Affidavit"). The time for Defendant to respond to the Motion has passed with no response being received; the Motion is therefore deemed unopposed.

Plaintiff's counsel indicates a total of 16.5 hours were expended in the representation of Plaintiff before the Court. See Affidavit. Plaintiff requests an hourly rate of \$125, which is the rate specified by statute. See id.; 28 U.S.C. §

2412(d)(2)(A).¹ The Court has reviewed the hours expended and has determined that they are reasonable.

Plaintiff also requests reimbursement of \$402.00 in costs expended for the filing of the Complaint (Doc. No. 1). See Affidavit. The Court finds this request to be appropriate. See 28 U.S.C. §§ 1920, 2412(a)(1).

In light of the foregoing, it is

ORDERED:

1. Plaintiff's Motion for Attorney's Fees and Affidavit Under the Equal Access to Justice Act (Doc. No. 32) is **GRANTED**.

2. The Clerk of Court is directed to enter judgment in favor of Plaintiff and against Defendant for attorney's fees in the amount of \$2,062.50 pursuant to 28 U.S.C. § 2412(d), and for costs in the amount of \$402.00.

DONE AND ORDERED in Jacksonville, Florida on January 4, 2024.


JAMES R. KLINDT
United States Magistrate Judge

kaw
Copies to:
Counsel of Record

¹ The statute also allows for higher hourly rates based on the increased cost of living since 1996, when the attorney's fee rate was last adjusted by Congress. See 28 U.S.C. § 2412(d)(2)(A) (permitting fee awards at rates higher than \$125 per hour upon the Court's determination that cost of living has increased). Since Plaintiff has not asked for such an increase, the Court will not award it.