

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

JAMIE LEIGH HANSEN,

Plaintiff,

v.

Case No. 8:24-cv-1355-UAM

MARTIN O'MALLEY,
Commissioner of the Social
Security Administration,

Defendant.

_____ /

ORDER

The plaintiff Jamie Leigh Hansen moves unopposed for an award of \$7,800.00 in attorney's fees as the prevailing party under the Equal Access of Justice Act ("EAJA"), 28 U.S.C. § 2412(d). Doc. 17. A September 18, 2024, order grants the Commissioner's unopposed motion to remand under 42 U.S.C. § 405(g). Doc. 13. The Clerk subsequently entered judgment in favor of Hansen. Doc. 15.

As the prevailing party, Hansen now seeks an award of attorney's fees under the EAJA. *See* 28 U.S.C. § 2414(d)(1)(A); *cf. Shalala v. Schaefer*, 509 U.S. 292, 300-02 (1993) (concluding that a party who wins a sentence-four remand order under 42 U.S.C. § 405(g) is a prevailing party), *superseded by rule on other grounds*, Fed. R. Civ. P. 58(c)(2)(B). After an order awarding EAJA fees, the United States Department of the Treasury determines whether Hansen owes a debt to the government. *See Astrue v. Ratliff*, 560 U.S. 586, 592–93 (2010) ("A § 2412(d)(1)(A) attorney's fees award is

payable to the litigant and is therefore subject to an offset to satisfy the litigant's pre-existing debt to the Government.”). Absent a federal debt, the government will accept her assignment of EAJA fees and pay the fees directly to her counsel.

The Commissioner consents to the requested relief. Additionally, Hansen’s counsel files an itemized billing statement in support of the petition. Doc. 17-1. Therefore, for the reasons stated by Hansen, the motion for attorney fees under the EAJA, Doc. 17, is **GRANTED**. Hansen shall receive \$7,800.00 in attorney’s fees under the EAJA. Unless the Department of Treasury determines that Hansen owes a federal debt, the defendant must pay the fees to Hansen’s counsel in accord with Hansen’s assignment of fees. *See* Doc. 17-2.

ORDERED on this 17th day of January, 2025.


LINDSAY S. GRIFFIN
United States Magistrate Judge