



Chipps v. Social Security Administration

2022 | Cited 0 times | D. New Mexico | January 20, 2022

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO JOSEPH
CHIPPS,

Plaintiff, v. No. CV 20-794 JB/CG

KILOLO KIJAKAZI, 1 Commissioner of the Social Security Administration,

Defendant. ORDER GRANTING STIPULATED MOTION TO AWARD ATTORNEY FEES

UNDER THE EQUAL ACCESS TO JUSTICE ACT THIS MATTER is before the Court on the Stipulated Motion for Award of Attorney Fees Under the Equal Access to Justice Act 39), filed January 19, 2022. In the Motion, the parties indicate they have agreed to award Mr. Chipps attorney fees in the amount of \$3,649.00. (Doc. 39 at 1). Further, the parties m and bar to any and all claims Plaintiff may have relating to [the Equal Access to Justice Act Id. The Court, having reviewed the Motion under EAJA, 28 U.S.C. § 2412, finds the Motion is well-taken and shall be granted.

IT IS THEREFORE ORDERED that Plaintiff be awarded \$3,649.00 in attorney fees pursuant to EAJA, 28 U.S.C. § 2412, made payable to Plaintiff but mailed to See Astrue v. Ratliff, 560 U.S. 586 (2010) (EAJA fees are paid to the prevailing party, not the attorney).

1 Kilolo Kijakazi was appointed Acting Commissioner of the Social Security Administration on July 9, 2021.

IT IS FURTHER ORDERED counsel shall refund the smaller award to Plaintiff pursuant to Weakley v. Bowen, 803

F.2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED.

THE HONORABLE CARMEN E. GARZA CHIEF UNITED STATES MAGISTRATE JUDGE

