

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

**Landon Lee Scheffler v. Frank Bisgnano, Commissioner of Social
Security**

Scheffler · No. CIV-25-633-G · Decided December 1, 2025

OPINION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA
LANDON LEE SCHEFFLER,)) Plaintiff,)) v.) Case No. CIV-25-633-G) FRANK
BISGNANO,) Commissioner of Social Security,)) Defendant.) ORDER On September 18,
2025, the Court entered an Order and a Judgment reversing the decision of the Social Security
Administration and remanding this case for further proceedings.

See Doc. Nos. 13, 14. Now before the Court is Plaintiff's Motion for Attorney's Fees Under the
Equal Access to Justice Act, 28 U.S.C. §§ 2412 et seq. (Doc. No. 15). Defendant has responded
(Doc. No. 17), representing that he has no objection to the requested \$7350.20 fee award.

Having considered Plaintiff's unopposed request and the relevant record, the Court finds that: "(1)
[P]laintiff is a 'prevailing party'; (2) the position of the United States was not 'substantially
justified'; and (3) there are no special circumstances that make an award of fees unjust" in this
case. *Hackett v. Barnhart*, 475 F.3d 1166, 1172 (10th Cir. 2007) (quoting 28 U.S.C. § 2412(d)(1)
(A)).

Accordingly, the Court GRANTS Plaintiff's request and awards fees in the amount of \$7350.20,
with said amount to be paid directly to Plaintiff and sent in care of Lisa McNair Palmer, PO Box
691865, Tulsa, Oklahoma, 74169. If attorney's fees are also awarded under 42 U.S.C. § 406(b),
Plaintiff's counsel shall refund the smaller award to Plaintiff in accordance with *Weakley v.*
Bowen, 803 F.2d 575, 580 (10th Cir.

1986). IT IS SO ORDERED this 1st day of December, 2025. CHARLES B. GOODWIN United
States District Judge