

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Brenda Dee Baker Riojas v. Commissioner of Social Security

Baker Riojas · No. 1:24-cv-00688-HBK · Decided September 12, 2025

SUMMARY

The United States District Court for the Eastern District of California grants the parties’ stipulated motion for attorney’s fees under the Equal Access to Justice Act. Following a sentence-four remand in a Social Security case, the court awards \$11,500 in attorney’s fees and expenses, subject to applicable Treasury Offset Program provisions.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 12, 2025
DOCKET	1:24-cv-00688-HBK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for an award of attorney fees and expenses under the Equal Access to Justice Act after obtaining a sentence-four remand in a Social Security action. The motion was stipulated and unopposed.
STANDARD OF REVIEW	The court determined whether the statutory prerequisites for an EAJA award were satisfied, including prevailing-party status, substantial justification, special circumstances, and timeliness.
PRECEDENTIAL VALUE	Unknown; district-court fee order with no reported citation.
PARTIES	Brenda Dee Baker Riojas v. Commissioner of Social Security

TOPICS

- attorney fees
- judicial review of agency action
- remedies
- administrative law
- civil procedure

PRACTICE AREAS

- Social Security
- administrative law
- attorney fees
- civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff was a prevailing party entitled to attorney fees under the Equal Access to Justice Act after obtaining a sentence-four remand.
2. Whether the government established that its position was substantially justified or that special circumstances made an EAJA award unjust.
3. Whether the stipulated amount of \$11,500 in attorney fees and expenses should be awarded, subject to any Treasury Offset Program offset.

HOLDINGS

1. A party who obtains a sentence-four remand under 42 U.S.C. § 405(g) is a prevailing party eligible to seek an EAJA award, and Plaintiff was entitled to seek fees as the prevailing party.
2. The government did not show that its position was substantially justified, and no special circumstances made an award unjust; therefore, the statutory exception to an EAJA award did not apply.
3. The court awarded Plaintiff \$11,500 in attorney fees and expenses under the EAJA, subject to any allowable Treasury Offset Program offset and the terms of the stipulated motion.

KEY QUOTATIONS

“Under the Act, a court shall award attorney fees to the prevailing party unless it finds the government’s position was “substantially justified or that special circumstances make such an award unjust.”” (1)

FACTUAL BACKGROUND

The underlying action sought judicial review of a Social Security decision. The court remanded the case to the Commissioner under sentence four of 42 U.S.C. § 405(g), making Plaintiff a prevailing party for EAJA purposes. Plaintiff's counsel and the Commissioner stipulated to an award of \$11,500 in attorney fees and expenses, and the Commissioner did not oppose the requested relief.

PROCEDURAL HISTORY

On August 21, 2025, the court remanded the case to the Commissioner for further administrative proceedings under sentence four of 42 U.S.C. § 405(g), and judgment was entered that day. Plaintiff then sought EAJA fees as the prevailing party. The court granted the parties' stipulated motion and awarded \$11,500 in attorney fees and expenses.

DISPOSITION

other

CASES CITED

- Shalala v. Schaefer, 509 U.S. 292, 300-02
- Astrue v. Ratliff, 532 U.S. 1192

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 BRENDA DEE BAKER RIOJAS, Case No. 1:24-cv-00688-HBK1 12
Plaintiff, ORDER GRANTING AWARD AND PAYMENT OF ATTORNEYS FEES UNDER 13
v. THE EQUAL ACCESS TO JUSTICE ACT 14 COMMISSIONER OF SOCIAL (Doc. No. 26)
SECURITY, 15 Defendant. 16 17 Pending before the Court is the parties' stipulated motion for
award of attorney's fees 18 filed on September 11, 2025.

(Doc. No. 26). The parties agree to an award of attorney's fees and 19 expenses to Plaintiff's
attorney, Denise Bourgeois Haley of the Law Offices of Lawrence D. 20 Rohlfing, Inc., CPC, in
the amount of \$11,500.00 in attorney fees and expenses, pursuant to the 21 Equal Access to Justice
Act ("EAJA"), 28 U.S.C. § 2412. (Id.). 22 On August 21, 2025, this Court remanded the case
pursuant to sentence four of 42 U.S.C. 23 § 405(g) to the Commissioner for further administrative
proceedings.

(Doc. No. 24). Judgment 24 was entered the same day. (Doc. No. 25). Plaintiff now requests an
award of fees as the 25 prevailing party. See 28 U.S.C. § 2412(a) & (d)(1)(A); Fed. R. Civ. P.
54(d)(1); see 28 U.S.C. § 26 1 Both parties have consented to the jurisdiction of a magistrate judge
in accordance with 28 U.S.C. 27 §636(c)(1). (Doc. No. 6). 28 1 | 1920; cf *Shalala v. Schaefer*, 509
U.S. 292, 300-02 (1993) (concluding that a party who wins a 2 || sentence-four remand order under
42 U.S.C. § 405(g) is a prevailing party).

The Commissioner 3 | does not oppose the requested relief. 4 The EAJA provides for an award of
attorney fees to private litigants who both prevail in 5 } civil actions (other than tort) against the
United States and timely file a petition for fees. 28 6 | U.S.C. § 2412(d)(1)(A).

Under the Act, a court shall award attorney fees to the prevailing party 7 | unless it finds the
government's position was "substantially justified or that special circumstances 8 | make such an
award unjust." *Jd.* Here, the government did not show its position was 9 | substantially justified
and the Court finds there are not special circumstances that would make an 10 | award unjust.

11 Based on the stipulation, the Court finds an award of \$11,500.00 in attorney fees and 12 ||
expenses is appropriate. EAJA fees, expenses, and costs are subject to any offsets allowed under
13 | the Treasury Offset Program ("TOP"), as discussed in *Astrue v. Ratliff*, 532 U.S. 1192 (2010).
If 14 || the Commissioner determines upon effectuation of this Order that Plaintiff's EAJA fees are
not 15 || subject to any offset allowed under the TOP, the fees shall be delivered or otherwise
transmitted 16 | to Plaintiff's counsel.

17 Accordingly, it is ORDERED: 18 1. The stipulated motion for attorney fees and expenses (Doc.
No. 26) is GRANTED. 19 2. The Commissioner is directed to pay to Plaintiff as the prevailing
party EAJA fees in 20 | the amount of \$11,500.00 in attorney fees and expenses. Unless the

Department of Treasury 21 | determines that Plaintiff owes a federal debt, the government shall make payment of the EAJA 22 | fees to Plaintiff's counsel, Denise Bourgeois Haley of the Law Offices of Lawrence D. Rohlfing, 23 || Inc., CPC, in accordance with Plaintiffs assignment of fees and subject to the terms of the 24 | stipulated motion. | Dated: _ September 12, 2025 Wiha. □□ fares Back 26 HELENA M. BARCH-KUCHTA 4 UNITED STATES MAGISTRATE JUDGE 28