

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Cleo G. v. Commissioner of Social Security

Cleo G. · No. EA-24-2834 · Decided April 10, 2026

SUMMARY

The court considers Plaintiff Cleo G.'s motion for attorney's fees under the Equal Access to Justice Act following reversal and remand of the Commissioner's denial of Disability Insurance Benefits. The court finds clerical work noncompensable and reduces the requested attorney hours for excessive or duplicative work. The motion is granted in part and denied in part, with an award of \$8,657.72.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Erin Aslan
JURISDICTION	United States District Court for the District of Maryland
DECIDED	April 10, 2026
DOCKET	EA-24-2834
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under the Equal Access to Justice Act for attorney's fees after the court had reversed the Commissioner's decision denying Disability Insurance Benefits and remanded for further proceedings.
STANDARD OF REVIEW	The court exercised substantial discretion to determine a reasonable EAJA fee award and reviewed the itemized time and supporting documentation for excessive, redundant, unnecessary, clerical, or inadequately documented work.
PRECEDENTIAL VALUE	unpublished
PARTIES	Cleo G. v. Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

- administrative law
- attorney fees
- social security

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to an award of attorney's fees under the EAJA after obtaining reversal and remand of the Commissioner's decision.
2. Whether the requested paralegal hours and attorney hour entries were reasonably expended and compensable under the EAJA.
3. What amount constituted a reasonable EAJA fee award in light of clerical work, duplicative briefing, excessive hours, and comparable awards in similar Social Security cases.

HOLDINGS

1. Purely clerical activities are overhead and are not compensable as EAJA attorney fees, regardless of whether an attorney or paralegal performs them.
2. An EAJA fee award must be reduced for attorney hours that are excessive, redundant, duplicative, unnecessary, or insufficiently supported by the billing documentation.
3. Plaintiff was entitled to \$8,657.72 in EAJA attorney's fees, representing 33.9 compensable attorney hours at \$255.39 per hour, while the requested paralegal hours and excluded attorney time were not compensable.

KEY QUOTATIONS

“Hours are not reasonably expended if they are “excessive, redundant, or otherwise unnecessary.”” (at 4)

“purely clerical activities, regardless of who performs them, are considered overhead and are not compensable as EAJA attorney fees.” (at 5)

FACTUAL BACKGROUND

Plaintiff's counsel requested \$12,493.71 for 46.7 attorney hours and 5.67 paralegal hours incurred in the Social Security appeal. The requested rates were \$255.39 per attorney hour and \$100 per paralegal hour, with the attorney rate based on the EAJA rate adjusted for cost of living. The Commissioner did not dispute Plaintiff's prevailing-party status or the hourly rates but argued that substantial reductions were warranted because the case was routine and the billing included duplicative, redundant, excessive, and clerical work.

PROCEDURAL HISTORY

Cleo G. filed an action seeking review of the Commissioner's final Social Security decision. On September 29, 2025, the court reversed and remanded the Commissioner's decision, and Plaintiff then sought \$12,493.71 in EAJA attorney's fees. The court granted the fee motion in part and denied it in part, excluding clerical work and reducing the compensable attorney hours.

DISPOSITION

other

CASES CITED

- Equal Employment Opportunity Commission v. Clay Printing Co., 13 F.3d 813, 815 (4th Cir. 1994)
- Pierce v. Underwood, 487 U.S. 552, 565 (1988)
- Hyatt v. Barnhart, 315 F.3d 239, 254 (4th Cir. 2002)
- Commissioner, Immigration & Naturalization Service v. Jean, 496 U.S. 154, 163 (1990)
- Hensley v. Eckerhart, 461 U.S. 424, 434 (1983)
- Jermaine G. v. Kijakazi, Civ. Action No. GLS-21-2445, 2023 WL 5346140, at *5-6 (D. Md. Aug. 21, 2023)
- Roth v. Commissioner, Soc. Sec., Civ. Action No. SAG-14-62, 2015 WL 567168, at *3 (D. Md. Feb. 10, 2015)
- Murray v. Colvin, Civ. Action No. TMD 14-1302, 2016 WL 7228872, at *2 (D. Md. Dec. 13, 2016)
- Kirk T. v. Saul, 489 F. Supp. 3d 411, 415 (D. Md. 2020)
- Devera N. v. Commissioner of Social Security Administration, Civ. Action No. CDA-23-642, 2025 WL 1474322, at *2 (D. Md. May 21, 2025)
- Amy S. v. Commissioner, Social Security Administration, Civ. Action No. DLB-18-3760, 2019 WL 7037905, at *2 (D. Md. Dec. 20, 2019)
- Missouri v. Jenkins by Agyei, 491 U.S. 274, 288 (1989)
- Spencer v. Berryhill, Civ. Action No. CCB-17-1096, 2018 WL 2731210, at *2 (D. Md. June 7, 2018)
- Tiffany M. v. Kijakazi, Civ. Action No. AAQ-21-2284, 2026 WL 272401, at *1-3 (D. Md. Feb. 3, 2026)
- Ellen C. v. Kijakazi, Civ. Action No. SAG-22-1698, 2023 WL 4490457, at *1-4 (D. Md. July 12, 2023)
- Larry W. v. Social Security Administration, Civ. Action No. SAG-19-3089, 2021 WL 2685364, at *1-2 (D. Md. June 30, 2021)
- Leona A. v. Commissioner of Social Security Administration, Civ. Action No. CDA-23-1251, 2025 WL 1474732, at *3 (D. Md. May 21, 2025)
- Cleo G. v. Commissioner of Social Security, Civ. Action No. EA-24-2834, 2025 WL 2771919 (D. Md. Sept. 29, 2025)

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