

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Elizabeth D. v. Commissioner of Social Security

Elizabeth D. · No. 3:25-cv-00216-GCS · Decided December 17, 2025

SUMMARY

The United States District Court for the Southern District of Illinois granted Plaintiff’s application for attorney fees and expenses under the Equal Access to Justice Act. The Court awarded \$3,752.20, explaining that the award belongs to Plaintiff, may be offset against qualifying federal debt, and may be payable to counsel pursuant to the assignment if no offset applies.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Gilbert C. Sison
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	December 17, 2025
DOCKET	3:25-cv-00216-GCS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for an award of attorney fees and expenses under the Equal Access to Justice Act. The Commissioner did not dispute the reasonableness of the requested fee.
PRECEDENTIAL VALUE	Unknown; memorandum and order with no reporter citation
PARTIES	Elizabeth D. v. Commissioner of Social Security

TOPICS

attorney fees costs administrative law civil procedure

PRACTICE AREAS

administrative law social security attorney fees civil procedure

QUESTIONS PRESENTED

- Whether Plaintiff was entitled to an award of \$3,752.20 in attorney fees and expenses under the Equal Access to Justice Act.

2. Whether the EAJA award should be paid to Plaintiff or, subject to verification that no federal debt exists, directly to Plaintiff's attorney under an assignment.

HOLDINGS

1. The court granted Plaintiff's application and awarded \$3,752.20 in attorney fees and expenses under the Equal Access to Justice Act.
2. The award belongs to Plaintiff and may be offset against any pre-existing debt owed to the United States; if no such debt exists, the government may direct payment to Plaintiff's attorney pursuant to Plaintiff's valid EAJA assignment.

KEY QUOTATIONS

“The Court GRANTS the motion. Pursuant to the EAJA, it is hereby ordered that Plaintiff is awarded \$3,752.20 for attorney fees and expenses in full satisfaction of any and all claims for attorney fees and expenses that may be payable to Plaintiff in this matter under the EAJA, 28 U.S.C. § 2412.” (1)

“Any fees paid belong to Plaintiff and not Plaintiff’s attorney and can be offset to satisfy any pre-existing debt that the litigant owes the United States.” (1)

FACTUAL BACKGROUND

Plaintiff sought an award of \$3,752.20 in attorney fees and expenses under the EAJA. The Commissioner did not dispute that the requested amount was reasonable. The court directed that the award be paid to Plaintiff, subject to offset for any pre-existing debt owed to the United States, and potentially payable directly to Plaintiff's attorney if no offset applied and a valid assignment existed.

PROCEDURAL HISTORY

After the underlying Social Security matter, Plaintiff applied for EAJA fees and expenses in the amount of \$3,752.20. The Commissioner responded that the requested fee was reasonable. The court granted the application and entered an award subject to any applicable federal-debt offset.

DISPOSITION

other

CASES CITED

- Astrue v. Ratliff, 560 U.S. 586 (2010)

OPINION

Davenport

PER CURIAM.

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF ILLINOIS

ELIZABETH D.1)

) Plaintiff,)) vs.) Civil No. 3:25-cv-00216-GCS)

COMMISSIONER of SOCIAL)

SECURITY,)

) Defendant.)

MEMORANDUM & ORDER

SISON, Magistrate Judge: Pending before the Court is Plaintiff's application for award of fees pursuant to the Equal Access to Justice Act ("EAJA"). (Doc. 21). Specifically, Plaintiff seeks \$3,752.20 in fees and expenses. Defendant filed a response indicating that it does not dispute that the fee is reasonable. The Court GRANTS the motion. Pursuant to the EAJA, it is hereby ordered that Plaintiff is awarded \$3,752.20 for attorney fees and expenses in full satisfaction of any and all claims for attorney fees and expenses that may be payable to Plaintiff in this matter under the EAJA, 28 U.S.C. § 2412. Any fees paid belong to Plaintiff and not Plaintiff's attorney and can be offset to satisfy any pre-existing debt that the litigant owes the United States. See *Astrue v. Ratliff*, 560 U.S. 586 1 Plaintiff's full name will not be used in this Memorandum & Order due to privacy concerns. See FED. R. CIV. PROC. 5.2(c) and the Advisory Committee Notes thereto. Page 1 of 2 (2010). If Defendant can verify that Plaintiff does not owe a pre-existing debt to the government subject to the offset, Defendant will direct that the award be made payable to Kelsey Young pursuant to the EAJA assignment duly signed by Plaintiff. If payment is mailed, as compared to electronically deposited, it shall be mailed to counsel's address of record: Parmele Law Firm PC 1545 E. Primrose St. Springfield, MO 65804 IT IS SO ORDERED. Digitally signed by fe Judge Sison DATED: D ber 17, 2025. : ecenmer Thing 0. Deiyate: 2025.12.17 12:18:19 -06'00'

GILBERT C. SISON

United States Magistrate Judge Page 2 of 2