

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
LOUISIANA

Brian Williams v. Frank Bisignano, Commissioner of Social Security

Williams · No. No. 24-885-SDJ · Decided May 18, 2026

SUMMARY

The court grants Brian Williams’s unopposed motion for attorney fees under the Equal Access to Justice Act after remanding his Social Security appeal for further administrative proceedings. The court awards \$1,575, representing nine hours of attorney time at \$175 per hour, payable to Williams and subject to reduction for qualifying government debts.

CASE DETAILS

COURT	United States District Court for the Middle District of Louisiana
WRITING FOR THE COURT	Scott D. Johnson
JURISDICTION	United States District Court for the Middle District of Louisiana
DECIDED	May 18, 2026
DOCKET	No. 24-885-SDJ
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved unopposed for attorney fees under the Equal Access to Justice Act after prevailing in a Social Security appeal and obtaining a remand for further administrative proceedings.
STANDARD OF REVIEW	The court reviewed whether Plaintiff was a prevailing party under the EAJA, whether the Government's position was substantially justified or special circumstances made an award unjust, and whether the requested hours and hourly rate were reasonable.
PRECEDENTIAL VALUE	unpublished district court ruling
PARTIES	Brian Williams v. Frank Bisignano, Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

- Social Security
- administrative law
- federal courts
- attorney fees

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to attorney fees under the Equal Access to Justice Act after obtaining a remand of the Commissioner's decision.
2. Whether the requested nine hours of attorney work and \$175 hourly rate were reasonable.
3. Whether the EAJA award should be made payable directly to Plaintiff rather than Plaintiff's counsel.

HOLDINGS

1. A plaintiff who prevails in a civil action against the United States is entitled to EAJA attorney fees unless the Government's position was substantially justified or special circumstances make an award unjust; because Plaintiff was the prevailing party, the Commissioner did not oppose the motion, and no exception applied, the court awarded fees.
2. Nine hours of attorney work at an hourly rate of \$175 was reasonable, warranting an award of \$1,575.
3. The EAJA award should be made payable directly to Plaintiff, subject to reduction or withholding to satisfy qualifying pre-existing federal debts, and may be mailed to Plaintiff's counsel.

KEY QUOTATIONS

“The EAJA provides that a court shall award attorney fees and costs to a prevailing party in a civil action brought against the United States.” (Section II)

“The Commissioner shall remit to Plaintiff’s counsel a check made payable to “Brian Williams” for attorney fees in the amount of \$1,575.00 (9 hours at \$175.00 per hour), pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A).” (Conclusion)

FACTUAL BACKGROUND

Plaintiff sought Title II and Title XVI Social Security benefits and requested that April 13, 2022, be treated as the protective filing date for his SSI application. The ALJ failed to address that request adequately, and Plaintiff obtained a district-court order vacating the Commissioner's decision and remanding for further proceedings. Plaintiff subsequently sought compensation for nine hours of attorney work at \$175 per hour.

PROCEDURAL HISTORY

The Administrative Law Judge issued a partially favorable decision but failed to address Plaintiff's requested protective filing date for supplemental security income. The Appeals Council denied review. Plaintiff appealed to the district court, which vacated the Commissioner's decision and remanded the matter on March 27, 2026. Plaintiff then filed an unopposed EAJA fee motion, which the court granted.

DISPOSITION

other

CASES CITED

- Anthony v. Sullivan, 954 F.2d 289, 295 (5th Cir. 1992)
- Oldham v. Schweiker, 660 F.2d 1078, 1080 (5th Cir. 1981)
- Ivy v. Sullivan, 898 F.2d 1045, 1048 (5th Cir. 1990)
- Craig v. Colvin, No. 15-583, 2016 WL 4689044, at *2 (M.D. La. Sept. 6, 2016)
- Crain v. Colvin, No. 14-12, 2015 WL 7761326, at *2 (M.D. La. Dec. 2, 2015)
- Williams v. Comm'r of Soc. Sec., No. 13-10, 2015 WL 1323347, at *1 (M.D. La. Mar. 24, 2015)
- Gann v. Colvin, No. 14-189, 2017 WL 385038, at *3 (M.D. La. Jan. 27, 2017)
- Sibley v. Kijakazi, No. 20-759, 2022 WL 1559073, at *1 (M.D. La. May 17, 2022)
- Ricks v. Comm'r of Soc. Sec., No. 18-1097, 2020 WL 2130989, at *1 (M.D. La. May 5, 2020)
- Jackson v. Astrue, 705 F.3d 527, 531 n. 11 (5th Cir. 2013)
- Craig v. Colvin, No. 15-583, 2016 WL 4689044, at *3 (M.D. La. Sept. 6, 2016)

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