

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

Sean Escarra v. Frank Bisignano, Commissioner of Social Security

Escarra · No. 8:24-cv-1562-JRK · Decided January 6, 2026

SUMMARY

The United States District Court for the Middle District of Florida granted Plaintiff Sean Escarra's unopposed motion for attorney's fees under the Equal Access to Justice Act. The Court awarded \$8,750.00 in attorney's fees and \$405.00 in costs, and authorized the Commissioner to honor Plaintiff's assignment of fees to counsel subject to any federal debt offset.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	James R. Klindt
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	January 6, 2026
DOCKET	8:24-cv-1562-JRK
DISPOSITION	other
PROCEDURAL POSTURE	The court considered Plaintiff's unopposed motion for attorney's fees and costs under the Equal Access to Justice Act after proceedings in the underlying Social Security review action.
PRECEDENTIAL VALUE	Unknown
PARTIES	Sean Escarra v. Frank Bisignano, Commissioner of Social Security

TOPICS

attorney fees costs administrative law remedies civil procedure

PRACTICE AREAS

administrative law Social Security attorney fees costs

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to an award of attorney's fees under the Equal Access to Justice Act at cost-of-living-adjusted hourly rates.
2. Whether Plaintiff was entitled to reimbursement of \$405 in filing costs.
3. Whether the court could honor Plaintiff's assignment of EAJA fees to counsel if Treasury determined that Plaintiff owed no federal debt.

HOLDINGS

1. Plaintiff was entitled to \$8,750 in attorney's fees under the Equal Access to Justice Act, including hourly rates above \$125 because inflation justified a proportionate cost-of-living increase and the hours claimed were reasonable.
2. Plaintiff was entitled to \$405 in costs for filing the complaint.
3. The Commissioner may exercise discretion to honor Plaintiff's assignment of EAJA fees to counsel if the Treasury Department determines that Plaintiff does not owe a federal debt.

FACTUAL BACKGROUND

Plaintiff's counsel documented 34.52 compensable hours performed in 2024 and 2025 in representing Plaintiff before the court. Plaintiff sought hourly rates above the statutory \$125 rate based on increases in the cost of living and requested reimbursement of \$405 paid for filing the complaint. Plaintiff assigned any EAJA fee entitlement to counsel, subject to the United States Department of the Treasury's determination that Plaintiff does not owe a federal debt.

PROCEDURAL HISTORY

Plaintiff filed a motion seeking \$8,750 in attorney's fees and \$405 in costs. The Commissioner did not oppose the requested relief. The court granted the motion and directed entry of judgment for Plaintiff against Defendant.

DISPOSITION

other

CASES CITED

- *Masonry Masters, Inc. v. Nelson*, 105 F.3d 708, 710-13 (D.C. Cir. 1997)
- *Gates v. Barnhart*, No. 5:01-cv-148-GRJ, 2002 WL 1452232, at *3 (M.D. Fla. June 25, 2002)