

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jorge Luis Colunga Rojas v. Frank Bisignano, Commissioner of
Social Security

Colunga Rojas · No. 1:25-cv-00819-SKO · Decided December 19, 2025

SUMMARY

The United States District Court for the Eastern District of California grants Jorge Luis Colunga Rojas’s unopposed motion for attorney fees under the Equal Access to Justice Act. The court finds that Plaintiff was the prevailing party after obtaining a remand in his Social Security disability-benefits action, that the government waived opposition to the fee request, and that the requested 3.5 hours at an adjusted rate of \$251.84 per hour were reasonable. The court awards \$881.44 in EAJA fees.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 19, 2025
DOCKET	1:25-cv-00819-SKO
DISPOSITION	other
PROCEDURAL POSTURE	After judgment was entered for Plaintiff and the action was remanded to the Commissioner for further proceedings, Plaintiff moved unopposed for attorney fees under the Equal Access to Justice Act.
STANDARD OF REVIEW	The Court evaluated whether Plaintiff satisfied the EAJA prevailing-party, financial-eligibility, reasonableness, and substantial-justification requirements.
PRECEDENTIAL VALUE	unpublished
PARTIES	Jorge Luis Colunga Rojas v. Frank Bisignano, Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

administrative law

Social Security

attorney fees

civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to attorney fees under the Equal Access to Justice Act after obtaining a remand in his Social Security case.
2. Whether the requested \$881.44 fee for 3.5 hours of attorney time was reasonable.

HOLDINGS

1. A Social Security claimant who obtains a remand is a prevailing party for purposes of the EAJA, and Plaintiff was entitled to fees because he satisfied the applicable requirements and the Government waived its opportunity to show that its position was substantially justified or that special circumstances made an award unjust.
2. The requested EAJA award of \$881.44 for 3.5 hours of attorney time at an hourly rate of \$251.84 was reasonable and should be awarded in full.

KEY QUOTATIONS

“A party who obtains a remand in a social security case is a prevailing party for purposes of the EAJA.” (at 2)

“Therefore, the Court shall award fees.” (at 3)

“Plaintiff will be awarded EAJA fees for 3.5 hours in attorney time for a total EAJA award in the amount of \$881.44.” (at 4)

FACTUAL BACKGROUND

Plaintiff sought review of a final administrative decision denying Social Security disability benefits. The Court remanded the matter to the Commissioner for further proceedings, making Plaintiff the prevailing party for EAJA purposes. Plaintiff requested \$881.44 for 3.5 hours of attorney time at an hourly rate of \$251.84, and the Commissioner did not oppose the request.

PROCEDURAL HISTORY

Plaintiff filed an action seeking judicial review of a final administrative decision denying Social Security disability benefits. The Court entered judgment in Plaintiff's favor and remanded the case to the Commissioner for further proceedings. Plaintiff then moved for \$881.44 in EAJA fees, and the Commissioner filed a notice of non-opposition.

DISPOSITION

other

REMAND INSTRUCTIONS

The underlying Social Security action was remanded to the Commissioner for further proceedings; this order itself grants Plaintiff's unopposed EAJA fee motion.

CASES CITED

- *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002)
- *Gutierrez v. Barnhart*, 274 F.3d 1255, 1257-58 (9th Cir. 2001)
- *Atkins v. Apfel*, 154 F.3d 986, 987-89 (9th Cir. 1998)
- *Shalala v. Schaefer*, 509 U.S. 292, 300-01 (1993)
- *Sorenson v. Mink*, 239 F.3d 1140, 1147-49 (9th Cir. 2001)
- *Hensley v. Eckerhart*, 461 U.S. 424, 434 (1983)
- *Vallejo v. Astrue*, No. 2:09-cv-3088 KJN, 2011 WL 4383636, at *4 (E.D. Cal. Sept. 20, 2011)
- *Costa v. Commissioner of Social Security Administration*, 690 F.3d 1132, 1136 (9th Cir. 2012)
- *Patterson v. Apfel*, 99 F. Supp. 2d 1212, 1214 n.2 (C.D. Cal. 2000)
- *Thompson v. Colvin*, No. 2:12-cv-01850-AC, 2015 WL 1767733, at *2 (E.D. Cal. Apr. 16, 2015)
- *Boulanger v. Astrue*, No. 2:07-cv-0849-DAD, 2011 WL 4971890, at *2 (E.D. Cal. Oct. 19, 2011)

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