

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, ROCK ISLAND DIVISION

Blanca L. v. Frank Bisignano, Commissioner of Social Security

Blanca L. v. Bisignano, No. 4:24-cv-04228-SLD-RLH (C.D. Ill. May 26, 2026) · No. 4:24-cv-04228-SLD-RLH
· Decided May 26, 2026

SUMMARY

The United States District Court for the Central District of Illinois grants Blanca L.'s motions for attorney fees under the Equal Access to Justice Act following reversal and remand of the Commissioner's decision denying disability benefits. The court approves the parties' agreed \$9,500 fee award, subject to offset for any qualifying federal debt, and directs payment to counsel if no offset applies.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois, Rock Island Division
WRITING FOR THE COURT	Sara Darrow
JURISDICTION	United States District Court for the Central District of Illinois, Rock Island Division
DECIDED	May 26, 2026
DOCKET	4:24-cv-04228-SLD-RLH
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff and the Commissioner jointly moved for an award of attorney fees and expenses under the Equal Access to Justice Act after the court reversed the Commissioner's denial of benefits and remanded the matter for further proceedings.
STANDARD OF REVIEW	The court applied the Equal Access to Justice Act's statutory requirements for fee awards and reviewed the requested hours and rates for reasonableness.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation
PARTIES	Blanca L. 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 Blanca was a prevailing party entitled to fees under the EAJA after reversal and remand of the Commissioner's decision.
2. Whether the EAJA fee application was timely when filed before the judgment became unappealable.
3. Whether the Commissioner's position was substantially justified.
4. Whether the requested attorney and paralegal hours and hourly rates were reasonable.
5. Whether the \$9,500 requested award should be paid to Blanca's counsel subject to offset for any pre-existing federal debt.

HOLDINGS

1. A plaintiff who obtains a judgment reversing the Commissioner's decision and remanding the case for further proceedings is a prevailing party under the EAJA when the remand terminates the litigation with victory for the plaintiff.
2. In a Social Security case involving remand, the EAJA application period begins when the court's judgment is entered, the appeal period has expired, and the judgment is no longer appealable; an application filed before expiration of the appeal period is timely.
3. The Commissioner did not establish that the government's litigation position and pre-litigation conduct were substantially justified, and the plaintiff therefore satisfied the EAJA substantial-justification requirement.
4. The court may award reasonable EAJA fees based on appropriately documented hours multiplied by a reasonable hourly rate, including a cost-of-living-adjusted rate above the statutory \$125 cap when the claimant establishes the applicable inflation adjustment and prevailing market rate.
5. The \$9,500 EAJA award may be offset against any pre-existing debt Blanca owes the United States; if no qualifying debt exists, payment may be directed to her counsel pursuant to her assignment.

KEY QUOTATIONS

“Under the EAJA, a successful litigant against the federal government is entitled to recover her attorney’s reasonable fees if: (1) she is a “prevailing party”; (2) the government’s position was not “substantially justified”; (3) there exist no special circumstances that would make an award unjust; and (4) she filed a timely application with the district court.”

“For the Commissioner’s position to have been substantially justified, it must have had reasonable factual and legal bases and a reasonable connection between the facts and his legal theory.”

FACTUAL BACKGROUND

Blanca obtained a judgment reversing the Commissioner's denial of disability insurance benefits and supplemental security income and remanding the matter to the Social Security Administration. She and the Commissioner jointly requested \$9,500 in EAJA attorney fees and expenses. Her counsel documented 36.4 attorney hours and 7 paralegal hours and sought enhanced hourly rates based on cost-of-living increases.

PROCEDURAL HISTORY

Blanca sought judicial review of the Commissioner's final decision denying disability insurance benefits and supplemental security income. The court adopted the magistrate judge's recommendation, overruled the Commissioner's objection, reversed the administrative decision, and remanded for further proceedings. After judgment was entered, Blanca and the Commissioner jointly moved for EAJA fees, and Blanca filed a supplemental fee motion.

DISPOSITION

other

REMAND INSTRUCTIONS

The Commissioner shall direct payment of the \$9,500 award to Konoski & Partners, P.C. if the Commissioner verifies that Blanca does not owe a pre-existing debt to the United States subject to offset. If payment is mailed, the check must be payable to Blanca and mailed to counsel's address of record.

CASES CITED

- *Krecioch v. United States*, 316 F.3d 684, 687 (7th Cir. 2003)
- *Shalala v. Schaefer*, 509 U.S. 292, 301-02 (1993)
- *Tex. State Tchrs. Ass'n v. Garland Indep. Sch. Dist.*, 489 U.S. 782, 791-92 (1989)
- *Golembiewski v. Barnhart*, 382 F.3d 721, 724 (7th Cir. 2004)
- *Cunningham v. Barnhart*, 440 F.3d 862, 864 (7th Cir. 2006)
- *Marcus v. Shalala*, 17 F.3d 1033, 1036 (7th Cir. 1994)
- *Hensley v. Eckerhart*, 461 U.S. 424, 433, 437 (1983)
- *Sprinkle v. Colvin*, 777 F.3d 421, 423 (7th Cir. 2015)
- *Kinsey-McHenry v. Colvin*, No. 2:12-CV-332-PRC, 2014 WL 1643455, at *3 (N.D. Ind. Apr. 23, 2014)
- *Booker v. Colvin*, No. 09 C 1996, 2013 WL 2147544, at *6 (N.D. Ill. May 16, 2013)
- *Carnaghi v. Astrue*, No. 11 C 2718, 2012 WL 6186823, at *5 (N.D. Ill. Dec. 12, 2012)
- *Nicole M. P. v. Bisignano*, No. 4:25-cv-04051-SLD-RLH, 2025 WL 2965120, at *3 (C.D. Ill. Oct. 17, 2025)
- *Astrue v. Ratliff*, 560 U.S. 586, 593 (2010)
- *Mathews-Sheets v. Astrue*, 653 F.3d 560, 565-66 (7th Cir. 2011)

