UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

Antonia Estorga Coleman v. Commissioner of Social Security

Estorga Coleman · No. 1:25-cv-00031-HBK · Decided April 30, 2025

SUMMARY

The United States District Court for the Eastern District of California granted the parties' stipulated motion for an award of attorney's fees under the Equal Access to Justice Act. Following a sentence-four remand in a Social Security case, the court awarded Plaintiff $1,856.04 in attorney's fees and expenses, subject to any applicable Treasury Offset Program deductions.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 30, 2025
DOCKET	1:25-cv-00031-HBK
DISPOSITION	other
PROCEDURAL POSTURE	Following a stipulated sentence-four remand of a Social Security case, Plaintiff moved for an award of attorney fees and expenses under the Equal Access to Justice Act. The parties stipulated to an award, and the Commissioner did not oppose the motion.
STANDARD OF REVIEW	The Court determined whether the EAJA prerequisites for an award of fees were satisfied, including prevailing-party status, timeliness, substantial justification, and the absence of special circumstances making an award unjust.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

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

PRACTICE AREAS

Social Security · administrative law · attorney fees · remedies

QUESTIONS PRESENTED

1. Whether Plaintiff was a prevailing party eligible for attorney fees under the Equal Access to Justice Act after obtaining a sentence-four remand under 42 U.S.C. § 405(g).
2. Whether the stipulated amount of $1,856.04 in attorney fees and expenses should be awarded under the EAJA.
3. Whether the award was subject to offsets under the Treasury Offset Program and, if not, could be paid to Plaintiff's counsel under the assignment of fees.

HOLDINGS

1. A party who obtains a sentence-four remand under 42 U.S.C. § 405(g) is a prevailing party for purposes of seeking EAJA fees.
2. The Court awarded Plaintiff $1,856.04 in attorney fees and expenses under the EAJA because the government did not show that its position was substantially justified and no special circumstances made the award unjust.
3. The award is payable to Plaintiff as the prevailing party, but may be paid to Plaintiff's counsel in accordance with the assignment of fees if the Treasury determines that Plaintiff owes no federal debt; the award remains subject to any applicable Treasury Offset Program offset.

KEY QUOTATIONS

> *"Under the Act, a court shall award attorney fees to the prevailing party unless it finds the government's position was "substantially justified or that special circumstances make such an award unjust.""* (at 1)

> *"Unless the Department of Treasury determines that Plaintiff owes a federal debt, the government shall make payment of the EAJA fees to Plaintiff's counsel, Francesco P. Benavides of the Law Offices of Francesco Benavides, in accordance with Plaintiff's assignment of fees and subject to the terms of the stipulated motion."* (at 2)

FACTUAL BACKGROUND

Plaintiff obtained a stipulated sentence-four remand of her Social Security case to the Commissioner for further administrative proceedings. Plaintiff's attorney sought $1,856.04 in attorney fees and expenses under the Equal Access to Justice Act. The Commissioner did not oppose the requested award, and the Court found that the government had not shown its position was substantially justified and that no special circumstances made an award unjust.

PROCEDURAL HISTORY

On April 22, 2025, the Court granted the parties' stipulated motion for remand under sentence four of 42 U.S.C. § 405(g), and judgment was entered the same day. Plaintiff then sought EAJA fees as the prevailing party. The Court granted the stipulated fee motion and directed payment of $1,856.04 in attorney fees and expenses, subject to applicable Treasury Offset Program requirements.

DISPOSITION

other

CASES CITED

- Shalala v. Schaefer, 509 U.S. 292, 300-02 (1993)
- Astrue v. Ratliff, 532 U.S. 1192 (2010)

OPINION

(SS) Estorga Coleman v. Commissioner of Social Security

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 ANTONIA ESTORGA COLEMAN, Case No. 1:25-cv-00031-HBK1 12 Plaintiff, ORDER GRANTING AWARD AND

PAYMENT OF ATTORNEYS FEES UNDER

13 v. THE EQUAL ACCESS TO JUSTICE ACT

14 COMMISSIONER OF SOCIAL (Doc. No. 14)

SECURITY,

15 Defendant. 16

17 Pending before the Court is the parties' stipulated motion for award of attorney's fees 18 filed on April 28, 2025. (Doc. No. 14). The parties agree to an award of attorney's fees and 19 expenses to Plaintiff's attorney, Francesco P. Benavides of the Law Offices of Francesco 20 Benavides, in the amount of $1,856.04 in attorney fees and expenses, pursuant to the Equal 21 Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Id.). 22 On April 22, 2025, this Court granted the parties' stipulated motion for a remand and 23 remanded the case pursuant to sentence four of 42 U.S.C. § 405(g) to the Commissioner for 24 further administrative proceedings. (Doc. No. 12). Judgment was entered the same day. (Doc.

25 No. 13). Plaintiff now requests an award of fees as the prevailing party. See 28 U.S.C. § 2412(a)

26 1 Both parties have consented to the jurisdiction of a magistrate judge in accordance with 28 U.S.C. 27 §636(c)(1). (Doc. No. 9). 28 1 | & (d)(1)(A); Fed. R. Civ. P. 54(d)(1); see 28 U.S.C. § 1920; cf. Shalala v. Schaefer, 509 U.S. 2 | 292, 300-02 (1993) (concluding that a party who wins a sentence-four remand order under 42 3 | U.S.C. § 405(g) is a prevailing party). The Commissioner does not oppose the requested relief. 4 The EAJA provides for an award of attorney fees to private litigants who both prevail in 5 } civil actions (other than tort) against the United States and timely file a petition for fees. 28 6 | U.S.C. § 2412(d)(1)(A). Under the Act, a court shall award attorney fees to the prevailing party 7 | unless it finds the government's position was "substantially justified

or that special circumstances make such an award unjust.” Jd. Here, the government did not show its position was substantially justified and the Court finds there are not special circumstances that would make an award unjust. Based on the stipulation, the Court finds an award of $1,856.04 in attorney fees and expenses is appropriate. EAJA fees, expenses, and costs are subject to any offsets allowed under the Treasury Offset Program (“TOP”), as discussed in Astrue v. Ratliff, 532 U.S. 1192 (2010). If the Commissioner determines upon effectuation of this Order that Plaintiff's EAJA fees are not subject to any offset allowed under the TOP, the fees shall be delivered or otherwise transmitted to Plaintiff's counsel. Accordingly, it is ORDERED: 1. The stipulated motion for attorney fees and expenses (Doc. No. 14) is GRANTED. 2. The Commissioner is directed to pay to Plaintiff as the prevailing party EAJA fees in the amount of $1,856.04 in attorney fees and expenses. Unless the Department of Treasury determines that Plaintiff owes a federal debt, the government shall make payment of the EAJA fees to Plaintiff’s counsel, Francesco P. Benavides of the Law Offices of Francesco Benavides, in accordance with Plaintiff's assignment of fees and subject to the terms of the stipulated motion. ** | Dated: _ April 30, 2025 Mihaw. Wh. foareh fackte

HELENA M. BARCH-KUCHTA

UNITED STATES MAGISTRATE JUDGE