

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

D’Angelo Kenye Jacob Lewis v. Commissioner of Social Security

Lewis · No. 2:25-cv-01054-DAD-CSK (SS) · Decided August 21, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the parties’ stipulation awarding plaintiff \$9,400 in attorney’s fees under the Equal Access to Justice Act following remand of his Social Security case. The order provides that payment is subject to any Treasury offset and may be made directly to plaintiff’s counsel if no federal debt is owed.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dale A. Drozd
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 21, 2025
DOCKET	2:25-cv-01054-DAD-CSK (SS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought judicial review of a final decision of the Commissioner of Social Security. After the case was remanded to the Commissioner pursuant to the parties’ stipulation, the court considered and approved the parties’ stipulation for attorney’s fees under the Equal Access to Justice Act.
PRECEDENTIAL VALUE	Unknown
PARTIES	D’Angelo Kenye Jacob Lewis v. Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

- Social Security
- administrative law
- attorney’s fees

QUESTIONS PRESENTED

1. Whether the court should approve the parties' stipulation awarding plaintiff \$9,400 in attorney's fees under the Equal Access to Justice Act.
2. Whether payment of the EAJA fees should be made to plaintiff, with potential direct payment to plaintiff's counsel subject to any applicable federal-debt offset.

HOLDINGS

1. The court approved the parties' stipulation and awarded plaintiff \$9,400 in attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).
2. The EAJA fees are payable to plaintiff, but the government may pay plaintiff's counsel directly if the Treasury determines that plaintiff does not owe a federal debt; any assignment remains subject to an applicable Treasury offset.

KEY QUOTATIONS

"Pursuant to the EAJA, 28 U.S.C. § 2412(d), plaintiff is awarded attorney's fees in the amount of \$9,400.00;"
(at 1)

"Pursuant to the decision in Astrue v. Ratliff, 560 U.S. 586 (2010), any such assignment will depend on whether the attorney's fees are subject to any offset allowed under the United States Department of Treasury's ("the DOT") Offset Program;" (at 1-2)

FACTUAL BACKGROUND

Lewis filed an action seeking review of a final decision of the Commissioner of Social Security. Following a stipulated remand for further proceedings, the parties agreed that Lewis should receive \$9,400 in attorney's fees under the Equal Access to Justice Act.

PROCEDURAL HISTORY

Lewis filed the action on April 9, 2025, seeking review of a final decision of the Commissioner. On August 5, 2025, the matter was remanded to the Commissioner for further proceedings pursuant to the parties' stipulation. On August 19, 2025, the parties stipulated to an EAJA attorney's-fee award of \$9,400, which the court adopted on August 20, 2025.

DISPOSITION

other

CASES CITED

- Astrue v. Ratliff, 560 U.S. 586 (2010)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 D'ANGELO KENYE JACOB LEWIS, No. 2:25-cv-01054-DAD-CSK (SS)

12 Plaintiff, 13 v. ORDER ADOPTING THE PARTIES' STIPULATION FOR THE AWARD OF
14 COMMISSIONER OF SOCIAL ATTORNEY'S FEES UNDER THE EQUAL SECURITY,
ACCESS TO JUSTICE ACT 15 Defendant. (Doc. No. 16) 16 17 18 On April 9, 2025, plaintiff
D'Angelo Lewis filed this action seeking review of a final 19 decision of defendant Commissioner
of Social Security.

(Doc. No. 1.) On August 5, 2025, the 20 matter was remanded to the Commissioner of Social
Security for further proceedings pursuant to 21 the parties' stipulation. (Doc. No. 14.) On August
19, 2025, the parties filed a stipulation with 22 the court in which the parties agree that plaintiff
shall be awarded attorney's fees under the Equal 23 Access to Justice Act ("EAJA"), 28 U.S.C. §
2412(d), in the amount of \$9,400.00.

(Doc. No. 16.) 24 Good cause appearing, and pursuant to the parties' August 19, 2025 stipulation,
the court 25 orders as follows: 26 1. Pursuant to the EAJA, 28 U.S.C. § 2412(d), plaintiff is
awarded attorney's fees in 27 the amount of \$9,400.00; 28 //// 1 2.

After the issuance of this order, the government shall consider the assignment of 2 the EAJA
attorney's fees to plaintiff's counsel; 3 a. Pursuant to the decision in *Astrue v. Ratliff*, 560 U.S. 586
(2010), any such 4 assignment will depend on whether the attorney's fees are subject to any 5
offset allowed under the United States Department of Treasury's ("the 6 DOT") Offset Program; 7
b. Fees shall be made payable to plaintiff, but if the DOT determines that 8 plaintiff does not owe
a federal debt, then the government shall cause the 9 payment of attorney's fees to be made
directly to plaintiff's counsel, 10 Francesco Paulo Benavides; 11 3.

Whether the payment of attorney's fees is made payable to plaintiff or to his 12 counsel, the check
shall be mailed to plaintiff's counsel's mailing address at: 13 Francesco Paulo Benavides Law
Offices of Francesco Benavides 14 1990 N. California Blvd. 8th Floor 15 Walnut Creek, CA
94596 16 IT IS SO ORDERED. 17 Dated: _ August 20, 2025 Da A. 2d, 18 DALE A. DROZD 19
UNITED STATES DISTRICT JUDGE 20 21 22 23 24 25 26 27 28