

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

Irving V.R. v. Commissioner of Social Security

Civil No. 23-1533 (GLS) (D.P.R. May 18, 2026) · No. Civil No. 23-1533 (GLS) · Decided May 18, 2026

SUMMARY

The United States District Court for the District of Puerto Rico partially granted and partially denied a plaintiff’s motion for attorney’s fees under the Equal Access to Justice Act after remanding the plaintiff’s Social Security disability case for further administrative proceedings. The court reduced the requested fees to exclude time spent on unsuccessful arguments and awarded \$11,151.00 for 50.4 hours at \$221.25 per hour.

CASE DETAILS

COURT	United States District Court for the District of Puerto Rico
WRITING FOR THE COURT	Giselle López-Soler
JURISDICTION	United States District Court for the District of Puerto Rico
DECIDED	May 18, 2026
DOCKET	Civil No. 23-1533 (GLS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for attorney's fees under the Equal Access to Justice Act after the court remanded his Social Security disability-benefits case to the Social Security Administration. The Commissioner conceded that Plaintiff was entitled to an EAJA award but challenged the reasonableness of the hours requested.
STANDARD OF REVIEW	The court reviewed the requested EAJA hours for reasonableness and exercised equitable discretion to exclude hours attributable to unsuccessful arguments or limited success.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Irving V.R. v. Commissioner of Social Security

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to attorney's fees under the Equal Access to Justice Act after obtaining a remand in his Social Security case.
2. Whether the requested 65.1 hours of attorney work were reasonably expended when Plaintiff prevailed only on the issue concerning the administrative law judge's failure to consider sacroiliac injections in formulating the physical residual functional capacity.
3. What amount of EAJA attorney's fees should be awarded after deducting time spent on unsuccessful arguments and unrelated portions of a partially successful claim.

HOLDINGS

1. A prevailing party's EAJA fee request may be reduced by excluding hours devoted to unsuccessful claims and by reducing hours attributable to portions of a claim on which the party did not prevail.
2. The court may exclude hours that were not reasonably expended on the successful claim and may exercise equitable discretion to calculate an appropriate reduced fee.
3. Plaintiff was entitled to an EAJA attorney's-fee award because the Commissioner did not dispute his entitlement, leaving only the reasonableness of the requested amount at issue.

KEY QUOTATIONS

“The fee applicant bears the burden of proving entitlement to fees and documenting the hours worked and applicable rates.”

“As such, counsel for the prevailing party must make a good-faith effort to exclude hours that are “excessive, redundant, or otherwise unnecessary” from a fee request.”

“Accordingly, Plaintiff’s motion for attorney’s fees under the EAJA is GRANTED in part and DENIED in part.”

FACTUAL BACKGROUND

Plaintiff challenged the Commissioner's denial of disability insurance benefits on three grounds: inconsistencies between the residual functional capacity and vocational-expert testimony, an alleged conflict with Social Security Ruling 00-4p, and failure to account for medical evidence in formulating the residual functional capacity. The court remanded based only on the administrative law judge's failure to account for evidence of sacroiliac steroid injections when formulating the physical residual functional capacity. Plaintiff sought compensation for 65.1 attorney hours at \$221.25 per hour, but portions of the work addressed unsuccessful claims or issues unrelated to the successful remand ground.

PROCEDURAL HISTORY

Plaintiff sought judicial review of the Commissioner's denial of disability insurance benefits. On March 26, 2025, the court remanded the case to the Social Security Administration for a new hearing. Plaintiff then

requested \$14,403.38 in EAJA attorney's fees, and the court granted the request in part and denied it in part, awarding \$11,151.00.

DISPOSITION

other

CASES CITED

- Comm'r I.N.S. v. Jean, 496 U.S. 154, 158 (1990)
- Cano v. Saul, 505 F. Supp. 3d 20, 23 (D. Mass. 2020)
- Hensley v. Eckerhard, 461 U.S. 424, 434, 436-437 (1983)
- Rivera-Quintana v. Comm'r of Soc. Sec., 692 F. Supp. 2d 223, 227 (D.P.R. 2010)
- Saeed v. Comm'r of Soc. Sec., 2018 WL 5555064, at *2 (D. Mass. Oct. 28, 2018)
- Tracey S. v. SSA Comm'r, 2018 WL 4350178, at *2 (D. Me. Sept. 12, 2018)