

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Amhed Alasady v. Frank Bisignano

Alasady · No. 1:25-cv-00058-KG-KK · Decided March 12, 2026

SUMMARY

This document is a stipulated motion seeking an award of attorney fees and costs under the Equal Access to Justice Act in a Social Security case remanded for further administrative proceedings. The parties stipulate to \$6,039.50 in fees and \$405.00 in costs, subject to Treasury Offset Program and potential Social Security Act fee provisions.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kenneth J. Gonzales
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	March 12, 2026
DOCKET	1:25-cv-00058-KG-KK
DISPOSITION	other
PROCEDURAL POSTURE	Following an order and judgment remanding the Social Security case to the Commissioner for further administrative proceedings, the parties filed a stipulated motion for an award of attorney fees and costs under the Equal Access to Justice Act.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Amhed Alasady v. Frank Bisignano, Commissioner of Social Security

TOPICS

- attorney fees
- administrative law
- remedies
- civil procedure

PRACTICE AREAS

- Social Security
- administrative law
- attorney fees
- federal civil procedure

QUESTIONS PRESENTED

- Whether the parties' stipulated request for an award of attorney fees and costs under the Equal Access to Justice Act should be approved.

2. How the EAJA award should be paid in light of the prevailing-party requirement, potential Treasury Offset Program debts, and any later award under 42 U.S.C. § 406(b).

HOLDINGS

1. The parties stipulated to an EAJA award of \$6,039.50 in attorney fees and \$405.00 in costs following the remand of Plaintiff's Social Security case.
2. The EAJA award is payable to Plaintiff as the prevailing party; if no Treasury Offset Program debt exists, the agency may waive the Anti-Assignment Act requirements and pay the fees to Plaintiff's attorney, while any offset situation requires payment by a check to Plaintiff delivered to counsel.

FACTUAL BACKGROUND

The court had remanded Plaintiff's Social Security matter to the Commissioner for further administrative proceedings. The parties stipulated to an award of \$6,039.50 in EAJA attorney fees and \$405.00 in costs. The stipulation addressed payment to Plaintiff as the prevailing party, possible assignment to counsel, Treasury Offset Program debts, and a potential later award under 42 U.S.C. § 406(b).

PROCEDURAL HISTORY

The court previously remanded the case to the Commissioner for further administrative proceedings. The parties then stipulated to an EAJA award of \$6,039.50 in attorney fees and \$405.00 in costs, subject to statutory offset and payment conditions.

DISPOSITION

other

CASES CITED

- Weakley v. Bowen, 803 F.3d 575, 580 (10th Cir. 1986)
- Astrue v. Ratliff, 560 U.S. 586, 595-98 (2010)
- Manning v. Astrue, 510 F.3d 1246, 1255 (10th Cir. 2007)
- Brown v. Astrue, 271 F. App'x 741, 743-44 (10th Cir. 2008) (unpublished)