

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

ANNA GRANDISON (MYERS), ) CASE NO. 5:03CV00081  
Plaintiff )  
v. ) REPORT AND RECOMMENDATION  
JO ANNE B. BARNHART ) By: B. Waugh Crigler  
Commissioner of Social Security, ) U. S. Magistrate Judge  
Defendant )

The Commissioner having advised the court that she has no objection to an award of attorney fees to M. Marcelin McKie, Esq. under the Social Security Act (Act), 206(b), 42 U.S.C. § 406(b), it is

R E C O M M E N D E D

that an Order enter awarding counsel for plaintiff, M. Marcelin McKie, the sum of Fifteen Thousand Five Hundred Eighty-Seven and 00/100 Dollars (\$15,587.00) in counsel fees under 42 U.S.C. § 406(g) to be paid out of plaintiff's past due benefits withheld by the Commissioner for payment of such fees.

The Clerk is directed to immediately transmit the record in this case to the presiding District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections,

if any they may have, to this Report and Recommendation within (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED: \_\_\_\_\_  
Judge

\_\_\_\_\_  
Date