

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

V.

NO. 4:15-CV-139-DMB-JMV

D'ANDREA YVONNE SWIMS

DEFENDANT

ORDER GRANTING MOTION FOR CONSENT JUDGMENT

This Medicare recovery action is before the Court on the parties' "Joint Motion for Consent Judgment." Doc. #7. In their motion, the parties represent that they have reached a settlement and ask the Court to enter a judgment implementing the settlement. *Id.*

"[A] federal consent decree must spring from, and serve to resolve, a dispute within the court's subject-matter jurisdiction; must come within the general scope of the case made by the pleadings; and must further the objectives of the law upon which the complaint was based." *Frew ex rel. Frew v. Hawkins*, 540 U.S. 431, 437 (2004). Courts must also decide whether the judgment "represents a reasonable factual and legal determination based on the facts of record, whether established by evidence, affidavit, or stipulation," and whether "the settlement is fair and that it does not violate the Constitution, statutes, or jurisprudence." *Jones v. Gusman*, 296 F.R.D. 416, 428 (E.D. La. 2013) (citing *Williams v. City of New Orleans*, 729 F.2d 1554, 1559 (5th Cir. 1984)).

The Court has reviewed the parties' proposed consent judgment and determined that it satisfies these dictates. Accordingly, the parties' joint motion for entry of the proposed consent judgment [7] is **GRANTED**. The proposed consent judgment will be entered as an order of the Court.

SO ORDERED, this 28th day of June, 2016.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE