

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CV-607-BO

MICHAEL PATTERSON,)
)
 Plaintiff,)
)
 v.) ORDER
)
 CAROLYN W. COLVIN,)
 Acting Commissioner of)
 Social Security,)
)
 Defendant.)
 _____)

Plaintiff's counsel filed a motion for approval of attorney's fees under section 206(b) of the Social Security Act ("Act") in the amount of \$11,280.00. Attorney's fees under section 206(b) of the Act are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b).

Defendant filed a reply to the motion noting that counsel's motion may be subject to dismissal as untimely under Rule 54(d)(2)(B) of the Federal Rules of Civil Procedure and that, alternatively, under Gisbrecht v. Barnhart, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$ 9,000.00

Ordered this 9 day of December 2014.


Terrence W. Boyle
United States District Judge