

IN THE UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF NORTH CAROLINA  
 WESTERN DIVISION  
 NO. 5:14-cv-531

WILLIAM J. JOHNSON, III,	)	
Plaintiff,	)	
	)	ORDER APPROVING
vs.	)	APPLICATION FOR
	)	ATTORNEY FEES UNDER
NANCY A. BERRYHILL,	)	THE EQUAL ACCESS TO
ACTING COMMISSIONER OF	)	JUSTICE ACT
SOCIAL SECURITY	)	
ADMINISTRATION,	)	
Defendant.	)	

Plaintiff's counsel file a motion for approval of attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$26,600.00 Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Plaintiff has previously been awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$4,622.00.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$26,600.00, and refund to the Plaintiff the smaller award between this amount and the EAJA award.

SO ORDERED, this the 26th day of April, 2017.

  
 KIMBERLY A. SWANK  
 United States Magistrate Judge