

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:12-CV-78-BO

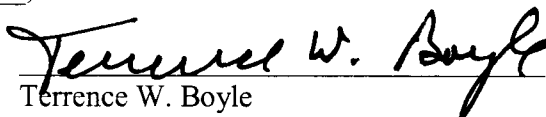
RICHARD LUCAS,)
)
Plaintiff,)
)
v.) ORDER
)
CAROLYN COLVIN,)
Acting Commissioner of)
Social Security,)
)
Defendant.)
_____)

Plaintiff's counsel filed a motion for approval of attorney's fees under section 206(b) of the Social Security Act (the "Act") in the amount of \$20,600.00. 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). The fee request is in addition to the \$4,705.81 in fees awarded by this Court under the Equal Access to Justice Act (EAJA) (Document #35).

Defendant filed a reply to the motion noting that 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 \$ 10,300., and ordered to refund to plaintiff the smaller award between this amount and the EAJA award.

Ordered this 9 day of March, 2014.


Terrence W. Boyle
United States District Judge