

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

JAMES HEATH, )  
Plaintiff, )  
 )  
v. )  
 )  
NANCY BERRYHILL, )  
Acting Commissioner of Social Security, )  
Defendant. )

**JUDGMENT**

Case No. 7:14-CV-127-KS

**Decision by Court.**

This action came before United States Magistrate Judge Kimberly A. Swank for consideration of the Plaintiff's Motion for Attorney Fees.

IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$8,000.00 and refund to Plaintiff the smaller EAJA award of \$4,500.00.

This judgment filed and entered on May 30, 2017, with *electronic service* upon:

**Charlotte Hall**  
*Counsel for Plaintiff*

**Cassia W. Parson**  
*Counsel for Defendant*

**PETER A. MOORE, JR.**  
**CLERK, U.S. DISTRICT COURT**

May 30, 2017

/s/ Shelia D. Foell  
(By): Shelia D. Foell, Deputy Clerk