

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION NO. 1:15-CV-063-GCM-DCK**

**TIMOTHY JAMES PARHAM,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **CAROLYN W. COLVIN,** )  
 **Acting Commissioner of Social Security,** )  
 )  
 **Defendant.** )  
 )

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**ORDER**

**THIS MATTER IS BEFORE THE COURT** on Plaintiff’s “Motion For Attorney Fees (EAJA)” (Document No. 28) filed October 11, 2016. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and noting Defendant consents to the motion, the undersigned will grant the motion.

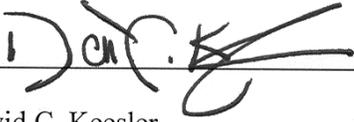
**IT IS, THEREFORE, ORDERED** that Plaintiff’s “Motion For Attorney Fees (EAJA)” (Document No. 28) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff’s “Motion For Attorney Fees (EAJA)” is **GRANTED** to the extent that the Court will award attorney fees in the amount of \$4,156.25, and that pursuant to Astrue v. Ratliff, 560 U.S. 586 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff’s counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the Government will exercise its discretion and honor an assignment of EAJA fees,

and pay the awarded fees directly to Plaintiff's counsel. See (Document No. 28-2). No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

**SO ORDERED.**

Signed: October 11, 2016

A handwritten signature in black ink, appearing to read 'D.C. Keesler', written over a horizontal line.

David C. Keesler  
United States Magistrate Judge

