

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO.: 1:17-cv-253-FDW-DSC

TAMMY A. WILSON,)
)
PLAINTIFF,)
)
VS.)
)
NANCY A. BERRYHILL,)
ACTING COMMISSIONER OF)
SOCIAL SECURITY,)
)
DEFENDANT.)

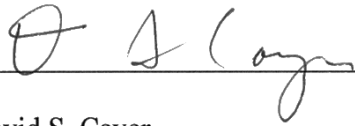
ORDER

THIS MATTER IS BEFORE THE COURT on Plaintiff's Consent Motion for Fees Pursuant to the Equal Access to Justice Act (EAJA) 28 U.S.C. § 2412(d)(1)(A) filed on June 14, 2018. Having reviewed the Motion, supporting materials, memorandum in support, and the case file the Court determines that Plaintiff should be awarded attorney fees under the EAJA in the amount of \$4,750.00.

IT IS ORDERED that Plaintiff's Motion is **GRANTED**, to the extent that the Court will award attorney fees in the amount of \$4,750.00, and that pursuant to Comm'r of Soc. Sec. v. Ratliff, 560 U.S. --, 130 S. Ct. 2521 (2010), the fee award will 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 Plaintiff does not owe a federal debt, the Government will exercise its discretion and honor an assignment of EAJA fees and pay them directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

SO ORDERED.

Signed: June 15, 2018



David S. Cayer
United States Magistrate Judge

