

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:18-cv-00353-MOC-WCM**

**TABITHA SARAH ROGERS,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **MARTIN O' MALLEY,** )  
 **Commissioner of** )  
 **Social Security,** )  
 )  
 **Defendant.** )

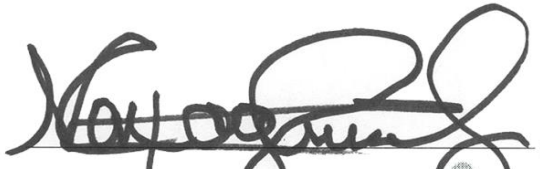
**ORDER**

**THIS MATTER** is before the Court on Plaintiff's Motion for Attorney's Fees, seeking fees in the amount of \$14,937.00 of Plaintiff's past due benefits, under the Social Security Act, 42 U.S.C. § 406(b). (Doc. No. 16). The Court did not award fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in this matter. Defendant has filed a response, noting that, under Gisbrecht v. Barnhart, 535 U.S. 789, 809 (2002), it is the duty of the Court to determine a reasonable fee.

Upon review of the materials, the Court finds that Plaintiff's request for attorney fees is reasonable. The motion for attorney fees is **GRANTED**. Therefore, it is ordered that Plaintiff's attorney may collect a fee of 25% of plaintiff's past due benefits, or \$14,937.00.

**IT IS SO ORDERED.**

Signed: June 4, 2024

  
Max O. Cogburn Jr.  
United States District Judge