

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:19-cv-574-MOC

JENNIFER L. PAYTON,)
)
 Plaintiff,)
)
 v.)
)
 KILOLO KIJAKAZI,)
 Acting Commissioner of Social Security,)
)
 Defendant.)
 _____)

ORDER

THIS MATTER is before the Court on Plaintiff’s Unopposed Motion for Approval of Attorney’s Fees under section 206(b) of the Social Security Act (the “Act”), 42 U.S.C. § 406(b), in the amount of \$38,843.25.

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). Plaintiff has previously been awarded attorney’s fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$5,400 (ECF No. 34).

The Court finds that the amount of attorney fees requested is reasonable. It is **ORDERED** that Plaintiff’s counsel be awarded fees under section 206(b) of the Act, 42 U.S.C. § 406(b) in the amount of \$38,843.25, and refund to Plaintiff the smaller award between this amount and the EAJA award.

IT IS THEREFORE ORDERED that Plaintiff’s Motion for Approval of Attorney’s Fees, (Doc. No. 36), is **GRANTED**.

Signed: May 6, 2022

