

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO.: 5:16-CV-051-GCM-DCK**

TRACY L. ALEXANDER,

Plaintiff,

v.

**NANCY A. BERRYHILL,
Acting Commissioner of Social Security,**

Defendant.

ORDER

THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Consent Motion For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412” (Document No. 12) filed October 27, 2017. 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, the record, and noting consent of Plaintiff’s counsel, the undersigned will grant the motion. Defendant is awarded attorney fees under the EAJA in the amount of \$4,435.64 in full and final settlement of attorney fees and costs arising under the Equal Access to Justice Act (EAJA). 28 U.S.C. § 2412(d).

In accordance with Plaintiff’s corresponding Consent Motion, full or partial remittance of the awarded attorney fees will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government. If such a debt(s) exists, the Government will reduce the awarded attorney fees in this Order to the extent necessary to satisfy such debt(s).

IT IS, THEREFORE, ORDERED that “Plaintiff’s Consent Motion For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412” (Document No. 12) is **GRANTED**. The Commissioner shall pay the sum of \$4,435.64 in full satisfaction of any and all claims arising under EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sums this case is dismissed with prejudice.

Signed: October 30, 2017



David C. Keesler
United States Magistrate Judge



CONSENTED TO:

Date: October 26, 2017

/s/ Amelia N. Patton
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Date: October 26, 2017

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