

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Marsha Sims,)	
)	C/A No. 1:10-1907-MBS
Plaintiff,)	
)	
vs.)	
)	ORDER
Carolyn W. Colvin, Acting Commissioner,)	
Social Security Administration,)	
)	
Defendant.)	
_____)	

Plaintiff Marsha Sims brought this action to obtain judicial review of a final decision of Defendant Commissioner of Social Security denying Plaintiff's claims for disability insurance benefits and supplemental security income. See 42 U.S.C. § 405(g). On December 14, 2011, the court remanded the Commissioner's decision pursuant to sentence four of § 405(g) for further administrative proceedings. By order filed October 5, 2012, the court awarded attorney's fees in the amount of \$9,137.03 pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

This matter now is before the court on Plaintiff's motion for attorney's fees filed April 28, 2014. Counsel moves for an order awarding an additional attorney's fee of \$1,626.69 under the Social Security Act, 42 U.S.C. § 406(b). On July 10, 2014, after the resolution of other matters concerning documentation,¹ the Commissioner filed a response informing the court that she has no objection to Plaintiff's motion for fees. Accordingly,

IT IS ORDERED that Plaintiff's motion for fees under 42 U.S.C. § 406(b) be **granted** in

¹ At the time of filing of the within motion, the Commissioner had not yet provided Plaintiff with a Notice of Award. The Notice has since been issued. The Commissioner agrees that \$10,763.72 is being withheld from Plaintiff's account for her attorney. See ECF No. 36.

the amount of \$1,626.69. This brings the total attorneys' fees awarded to counsel for Plaintiff to \$10,763.72, the amount being withheld from Plaintiff's account for her attorney.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
Senior United States District Judge

Columbia, South Carolina

July 14, 2014