

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION**

NAKISHA RENEE ODOM,	)	Civil Action No. 1:14-CV-00576-JMC
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
NANCY A. BERRYHILL, Acting	)	
Commissioner of Social Security, <sup>1</sup>	)	
	)	
Defendant.	)	
_____	)	

This matter is before the court on motion for entry of an order on payment of attorney’s fees pursuant to § 206(b) of the Social Security Act, 42 U.S.C. § 406(b). (ECF No. 33.) On November 8, 2016, the Acting Commissioner (“Commissioner”) of Social Security issued a notice stating it withheld the amount of Eleven Thousand, One Hundred and Six dollars and Fifty cents (\$11,106.50) of Plaintiff’s past-due benefits in anticipation of payment of attorney’s fees. (ECF No. 33 at 1.) Plaintiff’s motion seeks reimbursement for fees in the above-captioned matter in the amount of \$11,106.50, which is 25% of Plaintiff’s past benefits withheld from Plaintiff’s Social Security.

The Commissioner does not oppose payment of attorney fees pursuant to 42 U.S.C. § 406(b). (ECF No. 34.) The court previously awarded attorney’s fees to Plaintiff pursuant to the Equal Access to Justice Act (“EAJA”) in the amount of Four Thousand Dollars (\$4,000.00). (ECF No. 32.) However, the Federal government offset the EAJA fee (\$4,000.00) to pay Plaintiff’s

---

<sup>1</sup> Nancy A. Berryhill became the Acting Commissioner of Social Security on January 23, 2017. Pursuant to Fed. R. Civ. P. 25(d), Nancy A. Berryhill is substituted for former Acting Commissioner Carolyn W. Colvin as a Defendant in this lawsuit.

federal debt and the EAJA fee was not provided to Plaintiff's counsel. (ECF No. 33 at 1.)

The court has reviewed Plaintiff's Counsel's fee petition that was submitted and finds the request for fees reasonable. Therefore, Plaintiff is entitled to an award of payment in the amount of \$11,106.50 previously withheld from Plaintiff's past-due Social Security benefits.

**IT IS SO ORDERED.**

A handwritten signature in black ink that reads "J. Michelle Childs". The signature is written in a cursive, flowing style.

J. Michelle Childs  
United States District Judge

April 3, 2017  
Columbia, SC