

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

JANIE GADSON,)	C/A No. 1:17-2845-MBS
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
ANDREW SAUL,)	
COMMISSIONER OF SOCIAL)	
SECURITY ADMINISTRATION,)	
)	
Defendant.)	
_____)	

Plaintiff Janie Gadson filed the within action on October 20, 2017, seeking judicial review of Defendant Commissioner of Social Security Administration’s decision denying her claim for disability insurance benefits. By order filed December 20, 2018, the court remanded the Commissioner’s decision for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On March 20, 2019, Plaintiff filed a motion seeking attorney fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412, in the amount of \$3,360.00. The government did not oppose the motion and, on April 10, 2019, the court issued an order granting the motion and authorizing payment. ECF No. 39. Thereafter, on July 13, 2020, Plaintiff filed a motion seeking attorney fees in the amount of \$18,268.00, pursuant to the Social Security Act, 42 U.S.C. § 406(b). ECF No. 40. The government similarly did not oppose the request and the court granted the motion on August 19, 2020. ECF No. 43.

This matter is now before the court on a second motion for attorney fees filed pursuant to § 406(b). ECF No. 44. Plaintiff’s counsel, W. Daniel Mayes, seeks reimbursement in the amount of \$3,036.50, which amount he asserts “represents the

attorney fees withheld from the benefits of Gadson's beneficiaries and is in addition to the previous fee approved by the court." *Id.* at 1. Mr. Mayes represents the reimbursement he requests does not exceed 25 percent of the past due benefits awarded to Plaintiff and her beneficiaries. The government does not oppose the motion. *See* ECF No. 45.

The court has reviewed the motion and supporting documents and finds that the amount requested in fees is reasonable. Accordingly,

IT IS ORDERED that Plaintiff's motion for attorney's fees pursuant to the Social Security Act, 42 U.S.C. § 406(b), is granted and payment is authorized to W. Daniel Mayes in the amount of \$3,036.50.

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

April 16, 2021
Columbia, South Carolina