

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

CYNTHIA E. BENNETT WRIGHT,	)	CIVIL ACTION NO. 5:12-cv-02284-JMC
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
CAROLYN W. COLVIN,	)	<b>ORDER</b>
ACTING COMMISSIONER OF	)	
SOCIAL SECURITY,	)	
	)	
Defendant.	)	
_____	)	

This matter is before the court pursuant to Plaintiff’s counsel’s Motion for Attorney’s Fees under 42 U.S.C. § 406(b)<sup>1</sup> and Local Rule 83.VII.07, D.S.C. (ECF No. 47.) Plaintiff’s counsel seeks reimbursement for his representation in the amount of \$24,163.00 from the past-due benefits of Plaintiff and her dependent. (*Id.* at 1.) The attorney’s fee requested is 25% of the total of the past-due benefit. The Commissioner did not file specified opposition to Plaintiff’s Motion for Fees. (*See* ECF No. 49.)

The court has reviewed counsel’s Motion and finds the request for fees reasonable in accordance with *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002). Therefore, the court **GRANTS** the Motion and finds that Plaintiff’s counsel is entitled to an award of attorney’s fees under 42 U.S.C. § 406(b) in the amount of \$24,163.00 amounting to 25% of the past-due benefits of Plaintiff and her dependent. Fees under 42 U.S.C. § 406(b) are paid from Plaintiff’s

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<sup>1</sup> The statute provides that “[w]henver a court renders a judgment favorable to a claimant under this subchapter who was represented before the court by an attorney, the court may determine and allow as part of its judgment a reasonable fee for such representation, not in excess of 25 percent of the total of the past-due benefits to which the claimant is entitled by reason of such judgment, . . . .” 42 U.S.C. § 406(b)(1)(A).

benefits and those of her dependent, rather than from agency funds, based on a contract between Plaintiff and her attorney.

**IT IS SO ORDERED.**

Handwritten signature of J. Michelle Childs in black ink.

United States District Judge

October 13, 2015  
Columbia, South Carolina