

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
GREENEVILLE DIVISION**

SANDRA L. JOHNSON,

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Plaintiff,

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vs.

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No. 2:13-CV-89

CAROLYN W. COLVIN,  
Acting Commissioner of Social  
Security,

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Defendant.

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**ORDER**

This matter is before the court for consideration of the report and recommendation filed by United States Magistrate Judge C. Clifford Shirley, Jr. on February 12, 2015 [doc. 26]. Magistrate Judge Shirley recommends that plaintiff’s “Motion for Approval of Attorney’s Fees Under 42 U.S.C. § 406(b)” [doc. 21] be granted. There have been no timely objections filed to this report and recommendation, and enough time has passed since the filing of the report and recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The Commissioner has however submitted responses to the motion stating that she does not oppose the requested relief [docs. 24, 25].

After a careful review of this matter, the court is in complete agreement with the magistrate judge’s recommendation. The court therefore **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED** for the reasons stated in the report and recommendation,

which the court adopts and incorporates into its ruling, that plaintiff's "Motion for Approval of Attorney's Fees Under 42 U.S.C. § 406(b)" [doc. 21] is **GRANTED**. Plaintiff is awarded Six Thousand Four Hundred Seventy-Seven Dollars and Forty-Eight Cents (\$6,477.48) in attorney's fees. Upon receipt of that fee, plaintiff's attorney shall remit to plaintiff the \$1,475.00 award he previously received from the Commissioner pursuant to EAJA, 28 U.S.C. § 2142(d), and this court's July 1, 2014 order [doc. 20].

**IT IS SO ORDERED.**

ENTER:

s/ Leon Jordan  
United States District Judge