

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BRUCE L. WARNER,

Plaintiff,

Case No. 1:15-cv-284

v.

HON. ROBERT HOLMES BELL

UNITED STATES POSTAL SERVICE,

Defendant.

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**ORDER APPROVING AND ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This is an action brought pursuant to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1465 U.N.T.S. 85, 23 I.L.M. 1027 (the "Convention"), and the Torture Victim Protection Act (TVPA), 28 U.S.C. § 1350. On July 6, 2015, Magistrate Judge Philip J. Green issued a Report and Recommendation ("R&R") recommending that the Court grant Defendant's motion to dismiss. The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so has expired. On review, the Court agrees with the analysis and conclusions in the R&R.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 8) is **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that the Defendant's motion to dismiss (ECF No. 4) is **GRANTED**. Plaintiff's claim arising under the Convention is **DISMISSED** for lack of subject matter jurisdiction. Plaintiff's claim arising under the TVPA is **DISMISSED** for failure to state a claim.

A judgment will be entered that is consistent with this Order.

Dated: September 24, 2015

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE