

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Mark A. Skellham and Belinda L.)	
Skellham,)	
)	
Plaintiffs,)	ORDER
)	
vs.)	
)	
United States of America d/b/a United)	
States Postal Service, Tammy Dunlop,)	
Triple R and Sons LLC, a Montana)	
limited liability company, and Joe)	
Greaves,)	Case No. 1:17-cv-091
)	
Defendants.)	

Before the court is the United States’ Notice of Substitution for Defendants Tammy Dunlop and United States Postal Service, which it filed on July 19, 2017. The United States has certified that Tammy L. Johnson f/n/a Tammy Dunlop was acting within the scope of her office or employment during the incidents alleged in the Complaint. It further avers that by operation of law, specifically 28 U.S.C. § 2679(d)(1), it is substituted for Dunlop as defendant in this action. Finally, it avers that it should be substituted in place of the United States Postal Service as the Federal Tort Claims Act does not authorize suits against federal agencies. It requests that the court amend the caption of the above-entitled action accordingly.

The court **GRANTS** the United States’ request (Docket No. 12). The United States shall be substituted for Defendants Tammy L. Johnson f/n/a Tammy Dunlop and the United States Postal Service. The caption shall be amended accordingly.

IT IS SO ORDERED.

Dated this 28th day of July, 2017.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court