
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

MICHAEL C. SUSSMAN,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:16-cv-01094-JNP-PMW

District Judge Jill N. Parrish
Magistrate Judge Paul M. Warner

Plaintiff Michael C. Sussman, proceeding *pro se*, filed a complaint against Wells Fargo Bank, N.A. on October 27, 2016. Sussman brought various claims against Wells Fargo because Wells Fargo debited his bank account for \$1042.00 along with a \$100.00 bank fee on December 14, 2011. The Court referred this matter to Magistrate Judge Paul M. Warner pursuant to 28 U.S.C. § 636(b)(1)(B).

On January 1, 2017, Wells Fargo filed a Motion to Dismiss for Failure to State a Claim (ECF No. 9). The matter was fully briefed, and after review of the parties' briefings, Judge Warner issued a Report and Recommendation (ECF No. 16) advising that this Court grant the Motion to Dismiss. The Report and Recommendation specified that the parties should file objections within fourteen days of service, and the time for objecting has now passed.

Based on the Court's *de novo* review of the record, the relevant legal authority, and the Report and Recommendation, the Court concludes that the Report and Recommendation is a correct application of the law to the facts. Accordingly, the Court ORDERS as follows:

1. The Report and Recommendation (ECF No. 16) is ADOPTED IN FULL;

2. Defendant's Motion to Dismiss (ECF No. 9) is GRANTED;
3. All claims alleged in Plaintiff's complaint are DISMISSED WITH PREJUDICE.

DATED September 19, 2017.



Judge Jill N. Parrish
United States District Judge