

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK**

Caleb Perry v. Weill Cornell Medical College

No. 25-CV-8504 (JLR) (S.D.N.Y. Dec. 5, 2025) · No. 25-CV-8504 (JLR) · Decided December 5, 2025

OPINION

Perry

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

CALEB PERRY,

Plaintiff,

25-CV-8504 (JLR)

-against-

ORDER OF SERVICE

WEILL CORNELL MEDICAL COLLEGE,

Defendant. JENNIFER L. ROCHON, United States District Judge: Plaintiff, who is proceeding pro se, brings this action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 1981, and the New York State and New York City Human Rights Laws, alleging that his employer discriminated against him based on his race and sex. By order dated December 4, 2025, the Court granted Plaintiff's request to proceed in forma pauperis ("IFP"), that is, without prepayment of fees.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service.¹ Walker v. Schult, 717 F.3d 119, 123 n.6 0F (2d Cir. 2013); see also 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP). ¹Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue. To allow Plaintiff to effect service on Defendant Weill Cornell Medical College through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for Defendant. The Clerk of Court is further instructed to issue a summons and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service

upon Defendant. If the complaint is not served within 90 days after the date the summons is issued, Plaintiff should request an extension of time for service. See *Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service). Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is directed to issue a summons for Defendant, complete the USM-285 form with the address for Defendant, and deliver all documents necessary to effect service to the U.S. Marshals Service. The Clerk of Court is further directed to mail an information package to Plaintiff. SO ORDERED. Dated: December 5, 2025 New York, New York nited States District Judge

SERVICE ADDRESS FOR DEFENDANT

Weill Cornell Medical College 1300 York Avenue New York, NY 10065