

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

**Sonny Henry v. Julia Fowler, Lori Fowler, The UPS LLC, and Jason
Henry**

Henry · No. 26-cv-444-SMY · Decided May 12, 2026

SUMMARY

The court denied Sonny Henry's motion for service by the United States Marshals Service. Because Henry paid the filing fee and was not proceeding in forma pauperis, the court was not required to order marshal service, and Henry provided no reason why he could not effect service under Federal Rule of Civil Procedure 4; the denial was without prejudice.

OPINION

Henry

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SONNY HENRY,)

) Plaintiff,)) vs.) Case No. 26-cv-444-SMY)

JULIA FOWLER, LORI FOWLER,)

THE UPS LLC, and JASON HENRY,)

) Defendants.)

MEMORANDUM AND ORDER

YANDLE, Chief District Judge: Plaintiff Sonny Henry filed this pro se action against Defendants Julia Fowler, Lori Fowler, the UPS LLC, and Jason Henry, alleging fraud, civil conspiracy, unjust enrichment, and business interference (Doc. 1). Now pending before the Court is Henry's Motion for Service by United States Marshal Service (Doc. 2). Under Federal Rule of Civil Procedure 4(c), "plaintiff is responsible for having the summons and complaint served" Fed. R. Civ. P. 4(c)(1). Rule 4(c) further provides that the plaintiff may request service by the United States Marshal Service ("USMS") and that such service must be ordered if plaintiff is proceeding in forma pauperis pursuant to 28 U.S.C. § 1915. Fed.R.Civ.P. 4(c)(3). Here, Henry has paid the filing fee and is not proceeding in forma pauperis. Therefore, the Court is not required but has the discretion to order service by the USMS at the expense of the Court. See Koger v. Bryan, 523 F.3d 789, 803 (7th Cir. 2008). Henry offers no reason why he cannot afford or otherwise effect service upon Defendants through the procedures provided in Rule

4. Therefore, the motion is DENIED. The denial is without prejudice; Henry may file a renewed

motion providing additional information as to why he believes the Court should pay for service by the USMS. IT IS SO ORDERED. DATED: May 12, 2026 Aeckl Cee
STACI M. YANDLE
Chief United States District Judge

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