

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
NOEL ARROYO-BEY,

Plaintiff,

-against-

NORTH MANHATTAN MANAGEMENT CO. INC,

Defendant.

ANALISA TORRES, District Judge:

Plaintiff filed this action on June 7, 2022. ECF No. 1. On July 18, 2022, the Court issued an order directing the Clerk of Court to provide the U.S. Marshals with all documents necessary to effect service. ECF No. 7. On July 21, 2022, a summons was issued, and a service package was delivered to the U.S. Marshals. ECF No. 9; Dkt. Entry 7/21/22. At a case management conference before the Honorable Katharine H. Parker on November 14, 2022, Judge Parker directed Plaintiff to serve Defendant by December 15, 2022, and reminded Plaintiff that there is a legal clinic that can assist pro se parties in civil cases. ECF Nos. 16–17. On December 9, 2022, the U.S. Marshals provided a process receipt and return stating that they were unable to effect service because Defendant is not located at the provided address. ECF No. 18.

On January 3, 2023, the Court ordered Plaintiff to either effect service or file a letter explaining the delay in service and why this action should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m). Plaintiff has not effected service and has not filed a letter. Federal Rule of Civil Procedure 4(m) requires Plaintiff to serve Defendant within 90 days of the filing of the complaint. Accordingly, this action is DISMISSED without prejudice.

The Clerk of Court is directed to close the case and mail a copy of this order to Plaintiff *pro se*.

SO ORDERED.

Dated: January 18, 2023  
New York, New York

USDC SDNY  
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22 Civ. 4789 (AT) (KHP)

**ORDER**



ANALISA TORRES  
United States District Judge