

TRULINCS 07405510 - LYNCH, JASON M - Unit: ERE-D-A

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**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

MAR 16 2026

TAMM H. DOWNS, CLERK  
By:  DEP CLERK

1. PLAINTIFF'S RULE 55 DEFAULT FRAMEWORK NOTICE

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

CENTRAL DIVISION

Jason Matthew Lynch  
Reg. No. 07405-510  
Plaintiff, Pro Se

v.

White County Jail, et al.  
Defendants

Civil Action No. 4:24-cv-00740-LPR-BBM

PLAINTIFF'S NOTICE REGARDING DEFAULT UNDER FED. R. CIV. P. 55

Plaintiff Jason Matthew Lynch, appearing pro se, respectfully submits this notice regarding the procedural consequences of Defendants' failure to timely answer the complaint.

I. DEFENDANTS FAILED TO ANSWER WITHIN RULE 12 DEADLINE

Under Federal Rule of Civil Procedure 12(a)(1)(A), a defendant must serve an answer within 21 days after service of the summons and complaint.

Failure to do so places the defendant in default.

Federal Rule of Civil Procedure 55(a) states:

> "When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend the clerk must enter the party's default."

See Johnson v. Dayton Electric Manufacturing Co., 140 F.3d 781.

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## II. DEFAULT EXISTS WHEN DEFENDANTS FAIL TO TIMELY RESPOND

Federal courts consistently hold that failure to answer within the time provided by Rule 12 supports entry of default.

See *Ackra Direct Marketing Corp. v. Fingerhut Corp.*, 86 F.3d 852.

The rule exists to ensure that litigation proceeds efficiently and defendants do not delay proceedings through inaction.

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## III. COURTS DISFAVOR UNJUSTIFIED DELAY

While courts prefer cases to be decided on the merits, defendants must still comply with procedural rules.

See *United States v. \$345,510.00 in U.S. Currency*, 2010 WL 2025322.

Failure to timely respond without excusable neglect justifies default procedures.

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## IV. DEFENDANTS' FAILURE TO TIMELY ANSWER SHOULD NOT PREJUDICE PLAINTIFF

This case has already experienced substantial delay.

Plaintiff must:

- conduct discovery
- identify John Doe officers
- obtain jail records and medical records
- preserve evidence related to the constitutional violations alleged.

Allowing defendants to ignore deadlines would severely prejudice Plaintiff's ability to litigate.

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## V. NOTICE OF PLAINTIFF'S INTENT

Plaintiff respectfully places the Court and Defendants on notice that if Defendants continue to fail to properly plead or defend this action in accordance with the Federal Rules of Civil Procedure, Plaintiff may seek:

- Entry of Default under Rule 55(a)
- Default Judgment under Rule 55(b)

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## WHEREFORE

Plaintiff respectfully requests the Court take notice of Defendants' failure to comply with Rule 12 and enforce the Federal Rules moving forward.

Respectfully submitted,

Jason Matthew Lynch

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Reg. No. 07405-510  
Plaintiff, Pro Se

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## 2. PLAINTIFF'S EVIDENCE PRESERVATION AND SPOILIATION WARNING

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

Jason Matthew Lynch  
Plaintiff

v.

White County Jail, et al.  
Defendants

Case No. 4:24-cv-00740-LPR-BBM

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### PLAINTIFF'S NOTICE REGARDING DUTY TO PRESERVE EVIDENCE

Plaintiff Jason Matthew Lynch respectfully notifies the Court and Defendants of their ongoing legal duty to preserve all evidence relevant to this litigation.

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#### I. DUTY TO PRESERVE EVIDENCE

Once litigation is reasonably anticipated, parties have a legal obligation to preserve relevant evidence.

See Zubulake v. UBS Warburg LLC, 220 F.R.D. 212.

This duty includes:

- documents
- emails
- jail incident reports
- grievance records
- surveillance video
- body camera footage
- medical records
- electronic communications.

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#### II. DUTY TO PRESERVE EXISTS HERE

Defendants were placed on notice of litigation no later than September 2024, when Plaintiff formally raised the constitutional violations and claims described in this case.

Therefore, all relevant evidence should have been preserved from that date forward.

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### III. SPOILIATION SANCTIONS

Under Federal Rule of Civil Procedure 37(e), courts may impose severe sanctions when electronically stored information is destroyed.

Possible sanctions include:

- adverse inference instructions
- exclusion of evidence
- monetary sanctions
- entry of default judgment.

See *Stevenson v. Union Pacific Railroad Co.*, 354 F.3d 739.

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### IV. PLAINTIFF HAS BEEN INFORMED THAT EVIDENCE MAY BE WITHHELD

Plaintiff previously received statements from jail staff indicating that no evidence would ever reach the courts or public view.

Such statements raise serious concerns regarding the preservation of evidence.

Plaintiff therefore respectfully requests that Defendants be placed on clear notice that destruction, deletion, or loss of evidence may result in sanctions.

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### WHEREFORE

Plaintiff respectfully asks that the Court:

1. Acknowledge Defendants' duty to preserve all relevant evidence
2. Order Defendants to maintain all records related to Plaintiff and the incidents described in the complaint.

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### 3. PLAINTIFF'S MOTION TO COMPEL MEANINGFUL ANSWERS

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

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#### PLAINTIFF'S MOTION TO COMPEL DEFENDANTS TO FULLY ANSWER THE COMPLAINT

Plaintiff Jason Matthew Lynch respectfully moves this Court to order Defendants to provide meaningful answers to the complaint.

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#### I. RULE 8 REQUIRES GOOD FAITH RESPONSES

Under Federal Rule of Civil Procedure 8(b), a party responding to a complaint must:

- admit allegations that are true
- deny allegations that are false
- fairly respond to the substance of the allegations.

Rule 8 prohibits evasive or blanket denials.

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#### II. DEFENDANTS FILED A BOILERPLATE ANSWER

Defendants' answer appears to deny virtually every allegation without substantive explanation.

Courts disapprove of such tactics.

See *State Farm Mutual Automobile Insurance Co. v. Riley*, 199 F.3d 1302.

A defendant cannot simply deny everything without addressing the substance of the claims.

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#### III. DISCOVERY IS NECESSARY TO IDENTIFY JOHN DOE DEFENDANTS

Plaintiff must identify unknown jail staff responsible for the constitutional violations.

Federal courts routinely allow discovery to identify unknown defendants.

See *Munz v. Parr*, 758 F..2d 1254.

Without meaningful answers and discovery, Plaintiff cannot identify the responsible officers.

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#### IV. REQUEST FOR ADMISSIONS

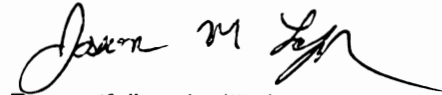
If Defendants insist on blanket denials, Plaintiff respectfully requests leave to serve targeted requests for admissions under Federal Rule of Civil Procedure 36 to narrow disputed issues.

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#### WHEREFORE

Plaintiff respectfully requests that the Court:

1. Order Defendants to provide meaningful answers to the complaint
2. Permit Plaintiff to proceed with discovery immediately
3. Allow Plaintiff to serve requests for admissions and interrogatories.



Respectfully submitted,

Jason Matthew Lynch  
Reg. No. 07405-510  
Plaintiff, Pro Se