

IN THE SUPREME COURT OF ARKANSAS

JASON MATTHEW LYNCH, APPELLANT

v.

WHITE COUNTY, ARKANSAS, ET AL., APPELLEES

NO. CV-26-301

Case on Appeal 73CY-26-287

ADDITIONAL NOTICE OF APPEAL AND SUPPLEMENTAL STATEMENT OF ISSUES

In Re: Jason M. Lynch v. White County Jail; Sheriff White County; John Does 1-25; Jane Does; 1-10; Private Medical Contractors , White County Jail; Arkansas Department of Health; and Unknown insurers, CY-26-301, appeal From transport order entered April 7, 2026 [pro se petition for declaratory judgment and injunctive Relief filed April 1, 2026,

White County Circuit Court, 73CY-26-287

COMES NOW Appellant, Jason Matthew Lynch, proceeding pro se, and pursuant to Rule 3 of the Arkansas Rules of Appellate Procedure–Civil, hereby provides notice that he appeals from the Order entered by the White County Circuit Court on June 5, 2026, dismissing this action for failure to appear at a hearing conducted on May 14, 2026.

Appellant respectfully states as follows:

1. On June 5, 2026, the circuit court entered an Order dismissing Appellant's Petition solely upon the basis that Appellant did not appear at the May 14, 2026 hearing.
2. At all relevant times, Appellant was confined in federal custody and lacked the ability to transport himself or otherwise secure his appearance before the circuit court.
3. Appellant's inability to appear was not the result of abandonment, bad faith, neglect, or willful refusal to comply with any court order. Rather, his absence was caused by circumstances entirely beyond his control.
4. Prior to dismissal, Appellant repeatedly notified the court of his custodial status and the transportation issues affecting his ability to personally attend court proceedings.
5. The Federal Bureau of Prisons ultimately declined to honor the requested civil writ and determined that transfer of custody could not be authorized under the circumstances presented.
6. The circuit court failed to consider less drastic alternatives, including telephonic appearance, video appearance, continuance, written submissions, or a stay pending resolution of custody issues.

7. At the time of dismissal, matters arising from this litigation were already pending before the Arkansas Supreme Court through appellate and extraordinary-writ proceedings.

8. Appellant contends the dismissal substantially prejudices his ability to obtain review of serious constitutional and statutory claims and improperly terminates the action without consideration of the merits.

The issues presented for appellate review include, but are not limited to:

A. Whether the circuit court abused its discretion by dismissing the action for failure to appear when Appellant was confined in federal custody and lacked the ability to appear.

B. Whether dismissal violated Appellant's constitutional right of access to the courts and right to due process under the United States Constitution and Arkansas Constitution.

C. Whether the circuit court erred by dismissing the action after federal authorities declined to authorize the requested transfer of custody.

D. Whether the circuit court failed to consider less restrictive alternatives before imposing the ultimate sanction of dismissal.

E. Whether the timing of the dismissal improperly interfered with or frustrated appellate review of issues already pending before the Arkansas Supreme Court.

F. Whether the dismissal causes substantial prejudice to Appellant by preventing adjudication of his claims on the merits.

WHEREFORE, Appellant respectfully gives notice of appeal from the June 5, 2026 Order of Dismissal and requests that the Arkansas Supreme Court review, reverse, vacate, and remand this matter for further proceedings.

Respectfully submitted,

/s/ Jason Matthew Lynch

Appellant, Pro Se