

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

JASON LYNCH

PLAINTIFF

v.

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

DOES 2-3, CAPT. CLAYNTON EDWARDS, LT. ROSS
SGT. SWINDLE, SGT. WORKMAN, SGT. ROGERS,
CO WOOD, SGT. SCILER, CO GOODWIN, ASHLEY WATTS
KATYNN SMITH, TURNKEY, DOE 1

DEFENDANTS.

**DEFENDANT NURSE KAITLYN SMITH'S ANSWER TO
PLAINTIFF'S THIRD AMENDED COMPLAINT**

Defendant Nurse Kaitlyn Smith, by and through her counsel of record, states as follows for her Answer to Plaintiff's Third Amended Complaint (Doc. 45):

PRELIMINARY STATEMENT

Defendant has contemporaneously filed a Joint Motion for a More Definite Statement pursuant to Federal Rule of Civil Procedure 12(e). This Answer is filed without waiving that motion and subject to the Court's ruling thereon. Defendant expressly reserves the right to amend this Answer following the Court's resolution of the Motion for More Definite Statement.

PLAINTIFF'S ALLEGATIONS

1. Due to Plaintiff's Third Amended Complaint's voluminous and duplicative nature, Defendant denies generally and specifically each and every material allegation contained in the Plaintiff's Third Amended Complaint, except those allegations that are specifically admitted in this Answer.

2. Regarding the allegations set forth in Paragraphs 4 and 4a of Plaintiff's Third

Amended Complaint concerning jurisdiction and venue, Defendant admits that this Court has subject matter jurisdiction over claims brought pursuant to 42 U.S.C. § 1983 and that venue appears to be proper in the Eastern District of Arkansas. Defendant denies that Plaintiff is entitled to any relief under 42 U.S.C. §§ 1981, 1985, or any other statute referenced therein.

3. Defendant is without sufficient information or knowledge to admit or deny the allegations contained within Paragraph 5 of Plaintiff's Third Amended Complaint concerning Plaintiff's identity and location; therefore, out of an abundance of caution, such allegations are deemed denied at this time.

4. Regarding the allegations set forth in Paragraphs 6-12 of Plaintiff's Third Amended Complaint concerning the parties, Defendant admits that, at times relevant to the Plaintiff's allegations, she was a nurse employed by Turn Key Health Clinics, LLC to provide nursing services at the White County Detention Center. Defendant is without sufficient information or knowledge to admit or deny the remaining allegations contained within these paragraphs; therefore, out of an abundance of caution, such allegations are deemed denied at this time.

5. Regarding the allegations set forth in Pages 23-50 of Plaintiff's Third Amended Complaint concerning constitutional claims under the Fourteenth, Eighth, First, Fourth, and Fifth Amendments, Defendant denies all allegations, including but not limited to any allegation of discriminatory treatment, deliberate indifference, constitutional violations, or any wrongdoing. Defendant further denies that she violated any constitutional rights of Plaintiff and/or that any policy, practice, or custom of Defendant was the "moving force" behind any alleged constitutional violation.

6. Regarding the allegations set forth in Pages 47-90 of Plaintiff's Third Amended Complaint concerning medical treatment, Defendant admits that, at times relevant to the Plaintiff's

allegations, she was a nurse employed by Turn Key Health Clinics, LLC, to provide nursing services at the White County Detention Center. Defendant further admits that a patient by the name of Jason Lynch was treated by medical staff at the White County Detention Center at various times relevant to Plaintiff's Third Amended Complaint. Defendant admits that she signed a Medication Acceptance form on or about August 12, 2024, acknowledging receipt of BIKTARVY® medication (30 count) for Plaintiff, and that medical intake documents reflect that Plaintiff reported having HIV and taking medication. Defendant denies all remaining allegations contained therein, including but not limited to any allegations that Defendant acted with deliberate indifference to Plaintiff's medical needs, intentionally mishandled Plaintiff's medication, threw away or destroyed Plaintiff's medication, gave Plaintiff's medication to other inmates, failed to provide adequate medical care, crushed Plaintiff's medication against medical advice, or violated any of Plaintiff's constitutional rights. Defendant specifically denies any allegation of professional negligence, wrongdoing, and/or deliberate indifference.

7. Regarding the remaining allegations on Pages 91-171 of Plaintiff's Third Amended Complaint, including but not limited to Plaintiff's handwritten logs, personal narratives, and various attached documents, Defendant denies each and every allegation to the extent they purport to state a claim or assert facts against Defendant. Defendant further states that many of these pages are illegible, incomprehensible, or contain allegations that are irrelevant to any surviving claim against Defendant.

8. Regarding the *Ad Damnum* clause (prayer for relief) in Plaintiff's Third Amended Complaint, Defendant denies that Plaintiff is entitled to the relief requested.

AFFIRMATIVE DEFENSES

I. Defendant denies any allegations of agency/ostensible agency, apparent agency,

vicarious liability, or respondeat superior liability.

II. Defendant denies that she is guilty of any type of professional negligence, constitutional violation, or other wrongdoing, in the care and treatment of Plaintiff. Additionally, Defendant states that all care given to Plaintiff was at all times reasonable and within the applicable standard(s) of care and was not in indifference to Plaintiff's medical condition.

III. Defendant denies that any acts or omissions by Defendant was the proximate cause or "moving force" of any harm or injury to Plaintiff.

IV. Defendant affirmatively states that Plaintiff's Third Amended Complaint fails to state a claim upon which relief can be granted against Defendant under 42 U.S.C. § 1983 or any other legal theory.

V. Defendant affirmatively states that Plaintiff's claims, or some of them, should be dismissed because Plaintiff has failed to exhaust administrative remedies pursuant to the provisions of the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a).

VI. Defendant affirmatively asserts the defense of qualified immunity because Plaintiff has not alleged, and cannot establish, that Defendant violated any clearly established constitutional right of which a reasonable person in Defendant's position would have known.

VII. Defendant affirmatively asserts the defense of "good faith" immunity. At all relevant times, Defendant acted in good faith and in the reasonable belief that Defendant's actions were lawful and constitutional.

VIII. Defendant affirmatively states that any claim for punitive damages is not properly pled, and the imposition of punitive damages against Defendant would be improper, be unconstitutional, and violate the rights of Defendant under the United States Constitution and the Arkansas Constitution. Defendant did not act with malice, willfulness, wanton conduct, or reckless

indifference to Plaintiff's constitutional rights.

IX. Defendant affirmatively states that any care and treatment provided to Plaintiff was conducted with the informed consent of all necessary parties.

X. Defendant affirmatively states that any damages allegedly suffered by Plaintiff were caused by the voluntary assumption of the risk by Plaintiff.

XI. Defendant affirmatively states that any damages allegedly suffered by Plaintiff were caused or contributed to by Plaintiff's own acts, conduct, or negligence.

XII. Defendant affirmatively states that Plaintiff's claims fail because the Third Amended Complaint does not sufficiently allege that Defendant was personally involved in any alleged constitutional violation. Liability under §1983 requires personal involvement or direct participation in the alleged constitutional deprivation.

XIII. Defendant affirmatively states that Plaintiff cannot establish that Defendant acted with deliberate indifference to his serious medical needs. At most, Plaintiff's allegations amount to a disagreement with medical treatment decisions or negligence, neither of which rises to the level of a constitutional violation under the Eighth or Fourteenth Amendments.

XIV. Defendant affirmatively states that the fault, if any, of persons or entities other than Defendant, including but not limited to Plaintiff himself, other defendants, and non-parties, was the sole and/or contributing cause of Plaintiff's alleged injuries and damages.

XV. Defendant did not participate in any conspiracy to deprive Plaintiff of his constitutional rights, and Plaintiff cannot establish the existence of any agreement or meeting of the minds among Defendant and any other person to violate Plaintiff's rights.

XVI. To the extent Plaintiff's claims are premised on a theory of supervisory liability, Defendant did not have supervisory authority over any person alleged to have violated Plaintiff's

rights and was not deliberately indifferent to any constitutional violations.

XVII. Some or all of Plaintiff's claims may be barred, in whole or in part, by the applicable statute of limitations.

XVIII. To the extent Plaintiff's claims are brought against Defendant in her official capacity, such claims are barred by the Eleventh Amendment to the United States Constitution.

XIX. Defendant generally and specifically adopts any and all affirmative defenses available under the United States Constitution, the Arkansas Constitution, common law, or statutory law.

XX. Defendant further asserts and reserves the right to file amended answer(s) or other appropriate pleadings to allege any affirmative defense that might be available to her after having a reasonable opportunity to investigate the allegations set forth in Plaintiff's Third Amended Complaint.

WHEREFORE, having answered, Defendant, Nurse Kaitlyn Smith, respectfully requests that this Court:

- a. Dismiss Plaintiff's Complaint with prejudice;
- b. Enter judgment in favor of Defendant;
- c. Grant Defendant's Motion for More Definite Statement;
- d. Grant Defendant leave to amend this Answer following the Court's ruling on the Motion for More Definite Statement; and
- e. Grant such other and further relief as the Court deems just and proper.

JURY TRIAL DEMANDED.

Respectfully submitted,

HALL BOOTH SMITH, P.C.

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*Attorneys for Defendants Turn Key Health
Clinics, LLC, Kaithlyn Smith, and Ashley Watts*

CERTIFICATE OF SERVICE

This is to certify that on the 17th day of February, 2026, I electronically transmitted the above document to the Clerk of Court using the ECF System for filing. I also certify that I served the following, who is not a registered participant of the ECF System for filing, via first class mail postage prepaid:

Jason Lynch, #07405-510
El Reno FCI
Inmate Mail/Parcels
PO Box 1500
El Reno, OK 73036

Plaintiff, Pro Sea

s/ Rylie Slone
Rylie Slone