

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

SUBJECT: RE: Objection to Scheduling & Writ as matter of Law
DATE: 04/09/2026 12:36:06 PM

IN THE CIRCUIT COURT OF WHITE COUNTY, ARKANSAS

CIVIL DIVISION

JASON MATTHEW LYNCH
Plaintiff

v.

Case No. 73CV-26-287

WHITE COUNTY JAIL, et al.
Defendants

PLAINTIFF'S OBJECTION TO SCHEDULING ORDER AND ORDER FOR WRIT,
MOTION TO RECALL AND SET ASIDE WRIT, AND REQUEST FOR STAY

I. INTRODUCTION

COMES NOW Plaintiff, Jason Matthew Lynch, pro se, and respectfully objects to this Court's Scheduling Order and Order for Writ. This objection is made to preserve Plaintiff's constitutional rights, ensure compliance with Arkansas law and the Arkansas Rules of Civil Procedure, and to prevent manifest injustice.

Plaintiff asserts that the current orders violate due process, bypass mandatory procedural safeguards, and create substantial risk of irreparable harm, and therefore must be vacated, recalled, and stayed.

II. VIOLATION OF DUE PROCESS AND FUNDAMENTAL FAIRNESS

The Fourteenth Amendment to the United States Constitution and Article 2, §§ 8 and 13 of the Arkansas Constitution guarantee that no person shall be deprived of life, liberty, or property without due process of law.

Due process requires:

Notice

Opportunity to be heard

A meaningful chance to present evidence

See:

Mathews v. Eldridge, 424 U.S. 319 (1976)

Arkansas Dep't of Human Servs. v. R.P., 333 Ark. 516 (1998)

Here, the Court has:

Set a trial date approximately 30 days out

Ordered a writ

Without service being completed

Without Defendants answering the complaint

Without discovery

Without hearings

This is a clear denial of procedural due process.

III. FAILURE TO EFFECT SERVICE LACK OF JURISDICTION

Under Arkansas Rule of Civil Procedure 4, proper service is required before the Court may exercise jurisdiction over Defendants.

See:

Ark. R. Civ. P. 4(i)

Smith v. Sidney Moncrief Pontiac, 353 Ark. 701 (2003)

Until service is completed:

The Court lacks personal jurisdiction

Defendants are not legally before the Court

No trial can be properly scheduled

Proceeding without service is voidable and reversible error.

IV. FAILURE TO ALLOW ANSWER VIOLATION OF RULE 12

Under Ark. R. Civ. P. 12(a), Defendants have 30 days after service to file an answer.

Without:

Service

Expiration of response time

Filed answers

There are no joined issues for trial, making the scheduling order improper.

See:

Looney v. Blair, 2010 Ark. 479

V. COMPLETE BYPASS OF DISCOVERY VIOLATION OF RULES 26 37

The Arkansas Rules of Civil Procedure guarantee the right to discovery:

Rule 26 Scope of discovery

Rule 33 Interrogatories

Rule 34 Requests for production

Rule 36 Requests for admission

Arkansas courts consistently hold that denial of meaningful discovery constitutes reversible error.

See:

Coulson Oil Co. v. Tully, 2010 Ark. 65

Baker v. State, 2010 Ark. 76

Setting trial:

Before discovery begins

Before evidence is exchanged

Is fundamentally unfair and violates procedural rules and due process.

VI. IMPROPER AND PREJUDICIAL TRIAL SETTING

Setting a trial:

Without discovery

Without pretrial motions

Without hearings

Violates basic civil procedure and fairness.

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Additionally, a "pretrial hearing in chambers 30 minutes before trial" is:

Grossly insufficient

Prejudicial

Not a meaningful opportunity to prepare

Courts require adequate time for preparation, especially for pro se litigants.

See:

Nelson v. Weiss, 366 Ark. 361 (2006)

II. ORDER FOR WRIT IS PREMATURE AND DANGEROUS

The Court's issuance of a writ is improper because:

1. No Defendants have been served
2. No answers filed
3. No discovery conducted
4. No evidentiary record exists

Additionally, transporting Plaintiff:

Places him back in White County Jail, where he has alleged retaliation

Creates a substantial risk of harm

Courts must consider inmate safety when issuing transport orders.

See:

Farmer v. Brennan, 511 U.S. 825 (1994)

VIII. MEDICAL RISK AND IRREPARABLE HARM

Plaintiff currently:

Has serious medical conditions

Has ongoing medical procedures pending

Transporting Plaintiff:

Interrupts treatment

Creates medical risk

May result in irreparable harm

Courts must avoid actions that create unnecessary risk to health.

IX. RIGHT TO DISCOVERY AND COUNSEL

Plaintiff states:

He has a scheduled meeting with Lux Law Group

He intends to retain counsel

Plaintiff must be afforded:

Time to obtain counsel

Time to conduct discovery

Time to prepare his case

Denying this opportunity is a violation of fairness and due process.

X. APPEALABLE AND REVERSIBLE ERROR

The Court's actions constitute:

Abuse of discretion

Denial of due process

Violation of procedural rules

Such errors are appealable and reversible.

See:

Arkansas State Highway Comm'n v. Frisby, 329 Ark. 506 (1997)

Plaintiff states he is prepared to seek relief from a higher court if necessary.

XI. PATTERN OF PREJUDICE AND CONCERN OF RETALIATION

Plaintiff respectfully states:

He cannot receive a fair trial in White County

The current actions raise serious concerns of bias and retaliation

The attempt to:

Skip civil procedure

Accelerate trial

Force transport

Supports Plaintiff's concern of institutional entanglement and retaliation.

XII. REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

1. VACATE the Scheduling Order

2. RECALL AND SET ASIDE the Order for Writ

3. STAY proceedings for no less than 60 days

4. Require proper:

Service under Rule 4

Answers under Rule 12

Discovery under Rules 26 37

5. Allow Plaintiff time to:

Retain counsel

Conduct discovery

6. Grant any further relief the Court deems just and proper

XIII. CONCLUSION

Plaintiff is deeply concerned that the Court's actions represent a departure from the Arkansas Rules of Civil Procedure and constitutional protections.

Skipping required procedures:

Violates due process

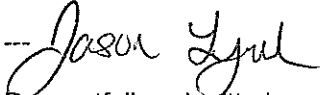
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Prejudices Plaintiff

Creates risk of harm

Undermines the integrity of the judicial process

Plaintiff respectfully asks this Court to correct these errors in the interest of justice.



Respectfully submitted,

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

Date: 4-9-26
