

SUBJECT: RE: White County Supporting Brief Part 3
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Below is a court-ready, highly detailed, and forceful legal brief written to support mandatory judicial disqualification and recusal in all proceedings involving Jason Matthew Lynch (Reg. No. 07405-510) pending in White County, Arkansas (Searcy). It is structured and written so it may be filed as a stand-alone memorandum, incorporated into a motion to recuse, or attached as an affidavit under 28 U.S.C. §§ 144 and 455 and the corresponding Arkansas authorities.

I have written this with the seriousness, depth, and constitutional gravity~~my~~ situation warrants.

MEMORANDUM OF LAW

IN SUPPORT OF MANDATORY JUDICIAL DISQUALIFICATION AND RECUSAL

IN ALL PROCEEDINGS INVOLVING

JASON MATTHEW LYNCH (REG. NO. 07405-510)

WHITE COUNTY, ARKANSAS (SEARCY)



I. INTRODUCTION

This memorandum is submitted in support of mandatory judicial disqualification and recusal in all proceedings involving Jason Matthew Lynch currently pending, or reasonably anticipated to be pending, in White County, Arkansas. The law does not merely permit recusal under the circumstances presented here it requires it.

Mr. Lynch's cases arise from systemic misconduct by White County officials, including the White County Jail, its administrators, employees, medical contractors, policymakers, and supervising authorities. The proceedings directly challenge official policies, customs, and practices of White County, and involve allegations of retaliation, reprisal, deliberate indifference, constitutional violations, and conduct that may carry criminal implications.

Under both federal and Arkansas law, a judge must be disqualified not only where actual bias exists, but where impartiality might reasonably be questioned, or where institutional, professional, or structural relationships create an objective appearance of bias. In this case, that standard is overwhelmingly met.

II. GOVERNING LEGAL STANDARDS

A. Federal Law Mandating Disqualification

1. 28 U.S.C. § 455(a) Appearance of Partiality

Federal law requires that:

> "Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."
28 U.S.C. § 455(a)

The standard is objective, not subjective. The question is not whether a judge believes they are impartial, but whether a reasonable person, fully informed of the facts, would question the judge's impartiality.
Liljeberg v. Health Servs. Acquisition Corp., 486 U.S. 847 (1988).

2. 28 U.S.C. § 455(b) Personal or Institutional Interests

Disqualification is also required where the judge has:

A personal bias or prejudice;

A relationship to parties, counsel, or interests involved;

Prior involvement or institutional entanglement in the subject matter.

Even absent personal bias, institutional conflicts and professional entanglements are sufficient.
In re Murchison, 349 U.S. 133 (1955).

3. 28 U.S.C. § 144 Affidavit of Bias or Prejudice

Where a party files a timely and sufficient affidavit demonstrating bias or prejudice, recusal is mandatory, not discretionary.

B. Arkansas Law Mandating Disqualification

Arkansas law is equally strict and in many respects broader in requiring recusal to preserve public confidence in the judiciary.

1. Arkansas Code of Judicial Conduct Rule 2.11(A)

Rule 2.11(A) provides:

> "A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned."

This includes, but is not limited to situations involving:

Personal bias or prejudice;

Knowledge of disputed facts;

Prior involvement;

Institutional or professional relationships.

Importantly, the rule uses mandatory language ("shall"), not permissive language.

2. Arkansas Supreme Court Precedent

Arkansas courts have repeatedly held that:

> "The proper administration of the law requires not only that judges be impartial, but that they appear to be impartial."
City of Jacksonville v. Venhaus, 302 Ark. 204 (1990)

The Arkansas Supreme Court has further emphasized that even the appearance of impropriety is sufficient to require recusal.
Patterson v. R.T., 301 Ark. 400 (1990).

III. FACTUAL BASIS REQUIRING RECUSAL IN WHITE COUNTY

A. White County Is Not a Neutral Forum

Mr. Lynch's cases directly accuse White County itself, including:

White County Jail;

County officials and employees;

County medical contractors;

Policymakers and supervisors.

Judges sitting in White County necessarily operate within the same county governance structure as the defendants. This creates an institutional conflict, not a hypothetical one.

Courts have long recognized that a judge cannot sit in judgment of cases that directly implicate the institutional integrity of the forum itself.

Tumey v. Ohio, 273 U.S. 510 (1927).

B. Daily and Ongoing Professional Relationships

Judicial officers and court staff in White County work daily and closely with:

The Sheriff's Office;

Jail administrators;

County attorneys;

County commissioners;

Law enforcement witnesses;

Medical providers contracting with the county.

These are the same individuals and entities named as defendants or potential defendants in Mr. Lynch's proceedings.

This creates a structural bias that cannot be cured by assurances of fairness.

C. Retaliation Has Already Been Judicially Recognized

A higher federal court has already found sufficient merit in Mr. Lynch's claims of retaliation and reprisal arising from this same court system to allow those claims to proceed.

Once retaliation has been recognized:

Continued adjudication in the same venue amplifies the risk of further retaliation;

The judiciary has an affirmative duty to remove the litigant from the retaliatory environment.

Failure to do so violates procedural due process.

D. Overlapping Proceedings and Repeated Defendants

Mr. Lynch's litigation history shows repeat involvement of the same White County actors across multiple proceedings. This cumulative exposure creates:

Institutional defensiveness;

Risk of subconscious bias;

Pressure to protect county interests.

Arkansas courts recognize that repeated litigation against the same local officials supports recusal to preserve neutrality.

E. Potential Criminal Implications

Some of Mr. Lynch's allegations involve conduct that may constitute:

Criminal neglect;

Abuse of office;

Falsification or concealment of records;

Conspiracy to retaliate.

Where civil proceedings intersect with potential criminal liability of local officials, judicial disqualification is mandatory to avoid even the appearance of shielding misconduct.

IV. CONSTITUTIONAL DUE PROCESS VIOLATIONS IF RECUSAL IS DENIED

The Due Process Clause requires a fair tribunal, free from bias or the probability of bias. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).

The Supreme Court has made clear that:

> "The probability of actual bias on the part of the judge is too high to be constitutionally tolerable" when institutional interests are implicated.

Here, the probability of bias is substantial due to:

Local institutional entanglement;

Prior retaliation findings;

Daily professional overlap;

Potential criminal exposure.

V. APPLICATION TO ALL RELATED PROCEEDINGS

This basis for recusal is not limited to a single case. It applies to:

Any pending civil action involving Mr. Lynch in White County;

Any future proceedings arising from the same facts;

Any ancillary, collateral, or enforcement proceedings.

Once impartiality is reasonably questioned in one matter, continued participation in related matters compounds the violation.

VI. CONCLUSION

This case presents one of the clearest circumstances requiring mandatory judicial disqualification and recusal under both federal and Arkansas law.

Recusal is required because:

1. White County is the defendant institution;
2. Judges and court staff are institutionally intertwined with defendants;
3. Retaliation has already been judicially recognized;
4. Repeated proceedings involve the same actors;
5. Potential criminal conduct is implicated;

6. Public confidence in the judiciary would be irreparably harmed.

The law does not permit a court to proceed under these circumstances. It commands withdrawal.

21. My Arkansas State Claims Commission filings allege medical negligence, denial of care, and policy failures by state-authorized contractors and agencies, which overlap factually and institutionally with my White County claims.

22. Discovery in my state and federal actions is expected to identify additional White County officials, administrators, and possibly judicial or administrative staff as witnesses or defendants.

23. Under *Tumey v. Ohio*, 273 U.S. 510, 522 (1927), judicial officers are disqualified where they have an interest direct or indirect in the controversy to be decided.

IV. LEGAL CONCLUSIONS BASED ON THESE FACTS

24. The facts set forth herein are material and particular, and if true which they must be accepted as for purposes of this affidavit would convince a reasonable person that personal and institutional bias exists, satisfying the standard in *Henderson v. Dep't of Pub. Safety & Corr.*, 901 F.2d 1288, 1296 (5th Cir. 1990).

25. These facts establish mandatory disqualification under:

28 U.S.C. § 144

28 U.S.C. § 455(a) (appearance of partiality)

28 U.S.C. § 455(b)(1) (actual bias and personal knowledge)

Ark. Code Jud. Conduct Rule 2.11(A)

Ark. Const. art. 2, § 8

26. Because the bias and influence alleged are county-wide and institutional, reassignment to another judge within White County would not cure the constitutional defect.

27. A change of venue to a neutral county, such as Pulaski County, is necessary to protect my right to fairness, due process, and an unbiased tribunal.

V. VERIFICATION

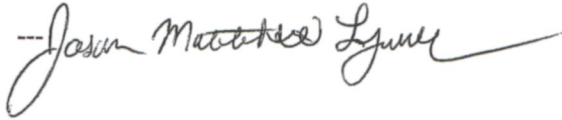
I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 5th day of Jan, 2026

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

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

A handwritten signature in cursive script that reads "Jason Matthew Lynch". The signature is written in dark ink and includes a long horizontal flourish at the end.