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U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

MAR 25 2026

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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT ARKANSAS

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CENTRAL DIVISION

TAMMY H. DOWNS

JASON MATTHEW LYNCH, #07405-510
Plaintiff

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

DOES, et al.
Defendants

PLAINTIFF'S COMBINED RESPONSE TO DEFENDANTS' NOTICE (DOC. 128),

MOTION TO COMPEL ANSWER, AND

ALTERNATIVE MOTION FOR LEAVE TO SERVE LIMITED INTERROGATORIES

I. INTRODUCTION

COMES NOW Plaintiff, Jason Matthew Lynch, proceeding pro se, and respectfully submits this Combined Response and Motion.

After careful re-review of Defendants' filing at Docket No. 128, Plaintiff has determined that Defendants do not intend to provide a faithful answer to the operative complaint.

Accordingly, Plaintiff respectfully moves this Court to compel Defendants to file a proper Answer with all haste, as required under the Federal Rules of Civil Procedure.

II. PLAINTIFF ACTED IN GOOD FAITH TO CLARIFY CLAIMS

Defendants previously asserted that a more definite statement was necessary under Rule 12(e).

In response, Plaintiff made a good-faith effort to eliminate any alleged ambiguity by:

Directing Defendants to previously filed pleadings;

Providing detailed medical reports and documentation;

Citing applicable standards of care;

Offering further factual clarification.

Despite these efforts, Defendants:

Ignored the substance of Plaintiff's clarifications; and

Improperly argued that Plaintiff's attempt to clarify was itself not allowed.

III. DEFENDANTS' POSITION IS LEGALLY CONTRADICTIONARY AND ABUSIVE

Defendants cannot simultaneously:

Claim they need clarification; and

Argue Plaintiff is prohibited from providing clarification.

This constitutes procedural gamesmanship and a misuse of Rule 12(e).

Courts have consistently held that motions for more definite statement are disfavored and cannot be used as delay tactics or substitutes for discovery.

See, e.g., *Mitchell v. E-Z Way Towers, Inc.*; *Hodgson v. Virginia Baptist Hosp., Inc.*

IV. THE THIRD AMENDED COMPLAINT PROVIDES MORE THAN SUFFICIENT NOTICE

Plaintiff's Third Amended Complaint ("TAC"):

Survived screening under 28 U.S.C. § 1915A;

Contains extensive factual detail (~171 pages);

Clearly identifies the who, what, when, where, how, and resulting harm.

Under federal pleading standards, a complaint need only provide fair notice—not evidentiary detail.

See *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007);
Ashcroft v. Iqbal, 556 U.S. 662 (2009).

The TAC exceeds this requirement.

V. DEFENDANTS ARE IMPROPERLY REFUSING TO ANSWER

Under Rule 12(a), Defendants are required to file a responsive pleading.

Instead, Defendants:

Filed boilerplate responses;

Raised inapplicable defenses;

Attempted to avoid answering altogether.

Federal courts disfavor such tactics and require cases to proceed toward resolution on the merits.

See Fed. R. Civ. P. 1.

VI. PLAINTIFF HAS A RIGHT TO CLARIFY AND RESPOND

Plaintiff has the right to:

Respond to inaccurate legal arguments;

Clarify claims;

Object to improper defenses.

See Fed. R. Civ. P. 7(b); Fed. R. Civ. P. 15(d).

Plaintiff's voluntary clarification was proper, helpful to the Court, and made in good faith.

Defendants' attempt to block clarification while demanding it constitutes abusive litigation conduct.

VII. PREJUDICE TO PLAINTIFF

Requiring Plaintiff to amend again would:

Occur nearly two years after the underlying events;

Cause substantial prejudice;

Undermine the Court's prior screening decision;

Further delay adjudication of serious constitutional violations.

VIII. SERIOUS CONSTITUTIONAL CLAIMS REQUIRE PROMPT ANSWER

Plaintiff's claims involve denial of medical care implicating the Eighth Amendment.

The Supreme Court has clearly established that deliberate indifference to serious medical needs violates the Constitution.

See *Estelle v. Gamble*, 429 U.S. 97 (1976);
Farmer v. Brennan, 511 U.S. 825 (1994).

Delays in addressing such claims:

Increase the risk of harm;

Undermine constitutional protections;

Justify judicial intervention to move the case forward.

IX. ALTERNATIVE REQUEST – LIMITED INTERROGATORIES

If the Court finds any ambiguity remains, Plaintiff respectfully requests leave to serve a limited set of interrogatories under Rule 33, narrowly tailored to:

Identify responsible parties;

Clarify Defendants' positions;

Narrow issues for resolution.

This is a far more appropriate remedy than requiring repeated amendments.

X. MOTION TO COMPEL ANSWER

Pursuant to Rules 12(a) and 37(a), Plaintiff respectfully moves this Court to:

Compel Defendants to file a complete and good-faith Answer to the TAC;

Prohibit further delay tactics;

Require compliance with federal pleading obligations.

XI. REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that this Court:

- 1. DENY Defendants' request for a more definite statement;**
- 2. STRIKE or disregard Defendants' improper procedural tactics;**
- 3. COMPEL Defendants to file a full and faithful Answer without delay;**
- 4. ALLOW Plaintiff's clarifying filings as proper;**
- 5. IN THE ALTERNATIVE, grant leave for limited interrogatories; and**
- 6. Grant all further relief this Court deems just and proper.**

PROPOSED ORDER

IT IS HEREBY ORDERED that:

- 1. Defendants' request for a more definite statement is DENIED;**
- 2. Defendants shall file a complete Answer to Plaintiff's Third Amended Complaint within 14 days of this Order;**
- 3. Plaintiff's clarifying submissions are deemed proper and accepted;**
- 4. In the alternative, Plaintiff is granted leave to serve limited interrogatories.**

XII. CONCLUSION

Plaintiff has acted diligently and in good faith at every stage of this litigation. He respectfully requests that this Court ensure fairness and prevent further delay in adjudicating serious constitutional violations.

Respectfully submitted,

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