

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

JASON MATTHEW LYNCH	)	Case No. 4:24-cv-00740-LPR-BBM
Plaintiff,	)	
v.	)	
DOES, et al.,	)	
Defendants.	)	

**PLAINTIFF’S MOTION FOR LEAVE TO FILE FOURTH AMENDED COMPLAINT
AND TO ADD ADDITIONAL DEFENDANTS**

Plaintiff Jason Matthew Lynch, proceeding pro se, respectfully moves under Fed. R. Civ. P. 15(a)(2), Fed. R. Civ. P. 21, Fed. R. Civ. P. 16(b)(4), and Fed. R. Civ. P. 20(a)(2) for leave to file the attached Proposed Fourth Amended Complaint and add defendants whose identities and personal participation have been clarified through discovery, contemporaneous records, and Plaintiff’s firsthand knowledge.

Plaintiff does not seek to add unrelated claims. The proposed defendants are connected to the same medication, mail-interference, retaliation, medical-housing, and courthouse-movement events already pleaded and screened in this action.

I. DEFENDANTS PLAINTIFF SEEKS TO ADD

Plaintiff seeks leave to add the following defendants in their individual capacities:

Defendant	Role and alleged conduct	Claims
Y’Kebiya Spinks, LPN	Participated in Biktarvy medication passes during the continuing crushed- or altered-medication practice	Deliberate indifference
Savannah Henderson, LPN	Participated in Biktarvy medication passes after the challenged practice and notice of Plaintiff’s reported harm	Deliberate indifference
Jamie Andersen, LPN	Participated in Biktarvy administration and completed dissolve-in-water tasks; Plaintiff alleges the medication was first crushed	Deliberate indifference

Heather Jones, LPN	Personally crushed Biktarvy after Plaintiff reported burning, vomiting, medication loss, and incomplete dosing	Deliberate indifference
Heather Hobbs, LPN	Personally participated in crushing or altering Biktarvy after notice of Plaintiff's symptoms	Deliberate indifference
Katlyn Ladd, LPN	Participated in Plaintiff's medication care and allegedly crushed Biktarvy, including during a recorded dissolve task	Deliberate indifference
Jonathan White	Medical provider who allegedly received direct notice of the medication problem and authorized or failed to stop the challenged administration method	Deliberate indifference
Matthew White	Participated in mail restrictions and retaliatory shakedowns after Plaintiff filed grievances and pursued litigation	Mail interference and retaliation
Mason Wilborn	Allegedly refused or failed to accept outgoing legal mail and handled § 1983 materials that were not returned	Mail interference and retaliation
John Long	Participated in obtaining Plaintiff's July 30, 2024 medical-refusal signature under threat of medical or punitive lockdown	Medical-housing retaliation
Phillip Miller	Sheriff who allegedly received direct notice, investigated, responded to, and approved or ratified Plaintiff's continued medical placement	Equal protection and retaliation
Joseph Martin	Officer who allegedly implemented the unusual August 13, 2024 courthouse-movement sequence	Retaliation

Plaintiff also requests permission to retain the temporary designation "Correctional Officer Jones, first name unknown" until the County identifies which Jones employee participated in the relevant mail and July 30 medical-refusal events.

II. FACTUAL BASIS FOR THE PROPOSED ADDITIONS

A. Medical Defendants

The records produced in discovery identify Spinks, Henderson, Andersen, Jones, Hobbs, Ladd,

and Jonathan White as personnel associated with Plaintiff's Biktarvy treatment during the relevant period.

Plaintiff alleges that these defendants personally administered, crushed, altered, or authorized the administration of Biktarvy after Plaintiff reported burning, nausea, vomiting, medication loss, incomplete dosing, and medication remaining in the medication bag.

Plaintiff specifically alleges:

1. Spinks, Henderson, and Andersen are identified in MARs, staffing records, and electronic medication-task records as nurses associated with Plaintiff's Biktarvy administration. Plaintiff seeks to substitute them for Pill-Nurse Doe Defendants 1–3, without requiring an unsupported numerical assignment to a particular Doe placeholder.
2. Heather Jones allegedly crushed Plaintiff's Biktarvy on or about July 27, 2024, after Plaintiff told her that crushing caused burning, vomiting, medication loss, and incomplete dosing.
3. Heather Hobbs allegedly participated in crushing or altering Plaintiff's Biktarvy, including during the period associated with the July 30 waiver and August 21 medication records.
4. Katlyn Ladd is identified in Plaintiff's intake, MAR, staffing, and electronic task records. Plaintiff alleges that he personally observed Ladd crush Biktarvy and that the medication was not delivered in the prescribed form.
5. Jonathan White allegedly met with Plaintiff concerning his HIV treatment, received direct notice that staff were crushing Biktarvy and that Plaintiff was suffering adverse effects, and nevertheless authorized, permitted, or failed to stop continued crushing or incomplete administration.

These allegations concern personal conduct, not merely the defendants' employment status.

B. Matthew White and Mason Wilborn

The existing pleadings and discovery materials identify Matthew White and Mason Wilborn as

correctional employees connected to Plaintiff's legal-mail allegations.

Plaintiff alleges that:

- a. Matthew White participated in enforcing a restriction on Plaintiff's mail and participated in retaliatory shakedowns after Plaintiff filed grievances and pursued civil-rights litigation; and
- b. Mason Wilborn, previously identified in one record as "Wilburn," refused or failed to accept outgoing court-related mail and handled § 1983 papers that were not returned.

The proposed claims arise from the same legal-mail and retaliation events already pleaded against existing defendants. Plaintiff seeks to correct the surname discrepancy and identify the responsible employee rather than proceed against an inaccurate name.

C. John Long and Correctional Officer Jones

Plaintiff alleges that John Long participated in obtaining Plaintiff's signature on the July 30, 2024 Waiver of Treatment/Evaluation under a threat of medical or punitive lockdown.

Plaintiff further alleges that a Correctional Officer Jones participated in or helped communicate and enforce the same coercive medical-refusal and housing-related event. County records identify more than one employee named Jones. Plaintiff therefore does not seek to name every Jones employee and requests a narrow disclosure identifying the Jones employee who participated in the July 30 event or the related mail discussions.

D. Sheriff Phillip Miller

Plaintiff does not seek to add Sheriff Miller solely because he was Sheriff or supervisor. Plaintiff alleges that Miller personally received appeals concerning Plaintiff's medical placement, unequal treatment, and retaliation.

Plaintiff alleges that Miller responded that he had been made aware of the claims and had spoken with staff and medical services. Plaintiff further alleges that a later response stated that continued medical placement was "the sheriff's response."

Plaintiff therefore seeks to add Miller based on his alleged personal notice, investigation, response, and approval or ratification of the challenged placement—not on respondeat superior.

E. Joseph Martin

Plaintiff alleges that Joseph Martin personally retrieved him first for the August 13, 2024 court appearance during an unusual movement sequence. Plaintiff further alleges that Martin stated or indicated that he was acting pursuant to orders.

The August 13 event is already part of the retaliation claims in this action. Plaintiff seeks to add Martin because he allegedly personally implemented the conduct underlying that claim.

III. LEGAL STANDARD

Rule 15(a)(2) provides that leave to amend should be freely given when justice so requires. Fed. R. Civ. P. 15(a)(2). The relevant considerations include undue delay, bad faith, repeated failure to cure deficiencies, undue prejudice, and futility. *Foman v. Davis*, 371 U.S. 178, 182 (1962).

Rule 21 independently authorizes a court to add or drop a party “at any time” and “on just terms.” Fed. R. Civ. P. 21. Rule 21 supports correcting Doe designations and adding properly identified individuals connected to the claims already before the Court.

Rule 20(a)(2) permits joinder of defendants when the claims against them arise out of the same transaction, occurrence, or series of transactions or occurrences and present common questions of law or fact. Fed. R. Civ. P. 20(a)(2).

IV. LEAVE SHOULD BE GRANTED

A. Plaintiff acted diligently

Plaintiff did not know the full names of several participants when he filed his earlier complaint. The Court’s January 14, 2026 Service Order specifically required Plaintiff to provide information sufficient to identify the Pill-Nurse Doe Defendants.

Plaintiff pursued discovery and reviewed MARs, staffing records, electronic task histories,

employee rosters, movement logs, grievances, and medical-refusal records. After comparing those materials with his contemporaneous records and personal observations, Plaintiff was able to identify the proposed defendants.

This is good cause under Fed. R. Civ. P. 16(b)(4). The proposed amendment is based on information that was unavailable or insufficiently clear when the prior complaint was filed.

B. The amendment is not unduly prejudicial

The underlying events were already pleaded and screened. The proposed amendment primarily supplies names and personal-participation allegations. It does not introduce an unrelated factual dispute.

The proposed defendants will receive the complete amended complaint and will have the opportunity to answer, move to dismiss, conduct discovery, assert limitations and immunity defenses, and seek summary judgment. Any scheduling concern can be addressed through reasonable response and discovery deadlines.

C. The claims are not futile

The proposed medical defendants are alleged to have personally participated in the administration or alteration of prescribed HIV medication after notice of serious adverse effects. Deliberate indifference to a serious medical need may violate the Eighth Amendment. *Estelle v. Gamble*, 429 U.S. 97, 104–05 (1976). A defendant acts with deliberate indifference when the defendant knows of and disregards a substantial risk of serious harm. *Farmer v. Brennan*, 511 U.S. 825, 837 (1994).

Private medical personnel providing state-required medical care to incarcerated persons may act under color of state law. *West v. Atkins*, 487 U.S. 42, 54–57 (1988).

The proposed mail and retaliation defendants are alleged to have personally interfered with legal mail, conducted retaliatory searches, or imposed adverse actions after protected grievances and litigation activity. Filing grievances and pursuing civil-rights litigation are protected First Amendment activities. *Gonzalez v. Bendt*, 971 F.3d 742, 744–45 (8th Cir. 2020). Retaliation

requires protected activity, an adverse action that would chill a person of ordinary firmness, and a causal connection. *De Rossitte v. Correct Care Solutions, LLC*, 22 F.4th 796, 804 (8th Cir. 2022). Plaintiff alleges personal participation by each proposed defendant. He does not rely solely on supervisory status. Section 1983 liability is personal and cannot rest solely on respondeat superior. *Ashcroft v. Iqbal*, 556 U.S. 662, 676 (2009).

D. Joinder is proper

The proposed defendants are connected to the same series of events:

- Plaintiff's Biktarvy treatment and the alleged crushing or alteration of medication;
- Plaintiff's complaints and grievances concerning that treatment;
- interference with Plaintiff's legal mail;
- retaliatory shakedowns and medical placement;
- the July 30 medical-refusal event; and
- the August 13 courthouse-movement event.

These claims share common questions concerning notice, policies, communications, causation, retaliatory motive, and the roles of WCDC and medical personnel. Joinder under Fed. R. Civ. P. 20(a)(2) is therefore appropriate.

V. RELATION BACK

Plaintiff recognizes that the Eighth Circuit has held that merely using a John Doe designation because the plaintiff does not know the defendant's name may not constitute a "mistake" under Rule 15(c)(1)(C). *Heglund v. City of Grand Rapids*, 871 F.3d 572, 579–81 (8th Cir. 2017). Plaintiff does not ask the Court to rule that every proposed addition automatically relates back. The proposed claims arise from the same conduct already pleaded, and Plaintiff seeks amendment based on information obtained through discovery. If any defendant raises a limitations defense, Plaintiff requests that the issue be addressed on a defendant-specific record after filing of the amended complaint.

The Supreme Court has explained that Rule 15(c)(1)(C) focuses on what the prospective defendant knew or should have known during the Rule 4(m) period. *Krupski v. Costa Crociere S.p.A.*, 560 U.S. 538, 548–54 (2010). Plaintiff therefore requests leave to amend without prejudging any later relation-back or limitations issue.

VI. REQUEST FOR RELIEF

Plaintiff respectfully requests that the Court:

1. Grant leave to file the Proposed Fourth Amended Complaint;
2. Permit Plaintiff to substitute Spinks, Henderson, and Andersen for the Pill-Nurse Doe Defendants, collectively if necessary;
3. Permit Plaintiff to add Heather Jones, Heather Hobbs, Katlyn Ladd, Jonathan White, Matthew White, Mason Wilborn, John Long, Phillip Miller, and Joseph Martin;
4. Permit Plaintiff to retain “Correctional Officer Jones, first name unknown” temporarily and direct the County Defendants to identify the correct Jones employee within fourteen days;
5. Permit Plaintiff to particularize the claims against existing Defendants Ashley Watts and Kaitlyn Smith without duplicating those parties;
6. Permit the proposed defendants to assert any limitations, immunity, pleading, or other defenses after the amended complaint is filed; and
7. Grant any other relief the Court finds just and proper.

Respectfully submitted,
JASON MATTHEW LYNCH
Plaintiff, Pro Se
261 Wilson Loop
Ward, Arkansas 72176
Telephone: 812-405-5532
Date: _____, 2026

CERTIFICATE OF SERVICE

I certify that on _____, 2026, I served a true and correct copy of this Motion, the

supporting memorandum, and the Proposed Fourth Amended Complaint by First-Class United States Mail and email upon counsel of record.

Jason Matthew Lynch