

FROM: Lynch

SUBJECT: RE: White County Judicial recusal and venue change Pt 3
DATE: 01/02/2026 08:06:03 PM

Below is PART III of Jason Matthew Lynch's filing: a detailed, legally sufficient Affidavit of Bias and Prejudice in support of judicial disqualification / recusal under 28 U.S.C. §§ 144 and 455, and change of venue.

This is drafted to meet the strict sufficiency standards applied by courts: specific facts, personal knowledge, non-conclusory statements, temporal detail, and direct nexus to bias. It is written so that the presiding judge is legally barred from weighing credibility and may rule only on sufficiency, as required by law.



PART III

AFFIDAVIT OF JASON MATTHEW LYNCH

IN SUPPORT OF MOTION FOR JUDICIAL DISQUALIFICATION / RECUSAL

AND CHANGE OF VENUE

(28 U.S.C. §§ 144, 455(a), 455(b), 455(b)(1))

I, Jason Matthew Lynch, Reg. No. 07405-510, being first duly sworn, state under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following statements are true and correct to the best of my personal knowledge, and are made in support of my Motion for Judicial Disqualification / Recusal and Change of Venue now pending before the White County Circuit Court.

I. IDENTITY AND STATUS

1. I am the Plaintiff and pro se litigant in multiple civil actions arising from my confinement, medical neglect, retaliation, and constitutional violations committed by White County Jail, White County officials, and associated actors, including claims under Arkansas state tort law, Arkansas statutory law, and federal civil rights statutes.

2. I am also a plaintiff in federal litigation in which a United States District Court in the Eighth Circuit has found sufficient merit to allow claims under 42 U.S.C. §§ 1981, 1983, and 1985 including retaliation and conspiracy to proceed.

3. This affidavit is submitted pursuant to 28 U.S.C. § 144, which requires recusal when a party submits a timely and sufficient affidavit showing personal bias or prejudice, and pursuant to 28 U.S.C. § 455(a), (b), and (b)(1), which mandate disqualification where impartiality might reasonably be questioned or where actual bias or personal knowledge exists.

II. STANDARD GOVERNING THIS AFFIDAVIT

4. I understand that under controlling federal law, including *In re Martinez-Catala*, 129 F.3d 213, 218 (1st Cir. 1997), *United States v. Vespe*, 868 F.2d 1328, 1340 (3d Cir. 1989), and *Davis v. Board of School Commissioners*, 577 F.2d 1044, 1051 (5th Cir. 1975), the Court:

- a. Must accept the factual allegations in this affidavit as true;
- b. May not weigh credibility or resolve factual disputes;
- c. May rule only on legal sufficiency.

5. The facts stated herein are material, particularized, non-speculative, and demonstrate actual bias, probability of bias, and at minimum an appearance of partiality sufficient to violate due process, as articulated in *Liteky v. United States*, 510 U.S. 540, 555 (1994).

III. FACTS ESTABLISHING BIAS, PREJUDICE, AND APPEARANCE OF IMPROPRIETY

A. Federal Findings of Retaliation and Reprisal

6. A United States District Court in the Eighth Circuit has recently determined that claims brought by me and arising from actions taken against me and my wife, Kirsten Lynch, state legally sufficient causes of action for retaliation and conspiracy under 42 U.S.C. §§ 1983 and 1985.

7. These findings stem from conduct intended to chill, punish, and suppress protected legal activity, including court filings and civil litigation.

8. The retaliation found plausible by the federal court arose directly out of actions taken by White County actors and affiliates, the same institutional network that appears as defendants and interested parties in my state tort and statutory claims now pending in White County Circuit Court.

9. Once a superior federal court finds merit in retaliation claims connected to court-related conduct, continued adjudication by a court institutionally intertwined with those same actors creates a constitutionally intolerable risk of bias, as recognized in *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).

B. Institutional Entanglement With White County Defendants

10. The presiding judge and judicial staff of White County Circuit Court:

- a. Work in the same physical building as the White County Jail;
- b. Interact daily with jail administrators, sheriff's personnel, and county officials;
- c. Have professional and administrative relationships with named defendants;
- d. Have worked alongside many defendants for 15 years or more.

11. My claims allege systemic failures, policies, and retaliatory actions by White County entities and officials matters of which the Court and its staff possess personal knowledge independent of the record.

12. Under *In re Murchison*, 349 U.S. 133, 136 39 (1955), due process is violated where a judge cannot free himself from the influence of personal knowledge of disputed facts. That condition exists here.

C. Extrajudicial Influence and Personal Relationships

13. My wife and I received text communications from our former landlord, stating that he was a personal friend of the presiding judge and that he would "see to it the book was thrown at us" in court proceedings.

14. This communication occurred in connection with a disputed rent balance that arose solely because of my arrest and detention.

15. This constitutes extrajudicial influence, evidence of personal relationships intersecting with judicial proceedings, and a disclosed conflict that was never addressed or cured.

16. Courts have consistently held that such facts are sufficient to require recusal where they would cause a reasonable person to question impartiality. *United States v. Kelly*, 712 F.2d 884, 890 (1st Cir. 1983); *United States v. Barnes*, 909 F.2d 1059, 1071 (7th Cir. 1990).

D. Procedural Deviations and Unequal Treatment

17. During White County proceedings, I was called out of order on the docket, separate from other inmates housed in my pod, who were not called until hours later.

18. Correctional officers informed me they were "just doing what they were told" when I questioned why established procedure was not followed.

19. Timely filed motions raising constitutional issues, conflicts of interest, and retaliation were ignored or not ruled upon, in violation of Ark. R. Civ. P. 1, 40, and 78.

20. Such deviations are recognized as probative of bias and improper influence. *U.S. v. Torres-Estrada*, 817 F.3d 376, 380 (1st Cir. 2016).

E. Related Proceedings Magnify the Conflict