

Below is a Motion to Strike Defendants' Affirmative Defenses under Rule 12(f) specifically targeting the A Z defenses in Doc. 103-3.

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

CENTRAL DIVISION

JASON MATTHEW LYNCH
Reg. No. 07405-510
Plaintiff, Pro Se

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

CLAYTON EDWARDS, et al.
Defendants

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

MAR 16 2026

TAMMY H. DOWNS, CLERK
By  DEP. CLERK

PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' AFFIRMATIVE DEFENSES

PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(f)

COMES NOW the Plaintiff, Jason Matthew Lynch, appearing pro se, and respectfully moves this Court to strike Defendants' affirmative defenses contained in their Answer to Plaintiff's Third Amended Complaint (Doc. 103-3). In support of this motion, Plaintiff states as follows:

I. LEGAL STANDARD

Federal Rule of Civil Procedure 12(f) provides:

> "The court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter."

Affirmative defenses must provide fair notice of the nature and grounds of the defense.

See:

Fed. R. Civ. P. 8(c)

Courts have increasingly required affirmative defenses to satisfy the same plausibility standards applicable to claims under: Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)

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Ashcroft v. Iqbal, 556 U.S. 662 (2009)

See also:

Hayne v. Green Ford Sales, Inc.,
263 F.R.D. 647 (D. Kan. 2009)

Barnes v. AT&T Pension Benefit Plan,
718 F. Supp. 2d 1167 (N.D. Cal. 2010)

Boilerplate affirmative defenses lacking factual support are routinely stricken.

See:

Lane v. Page, 272 F.R.D. 581 (D.N.M. 2011)

II. DEFENDANTS' AFFIRMATIVE DEFENSES ARE BOILERPLATE AND UNSUPPORTED

Defendants' Answer lists an extensive series of affirmative defenses labeled A through Z without factual support.

The defenses consist largely of generic legal doctrines recited without explanation of how they apply to Plaintiff's claims.

This approach fails to provide Plaintiff fair notice of the basis for these defenses and imposes an unnecessary burden on the Court and the parties.

III. MANY DEFENSES ARE LEGALLY INAPPLICABLE TO §1983 CLAIMS

Several defenses asserted by Defendants are legally inapplicable to the claims alleged in this action.

For example:

A. Punitive Damages Immunity

Defendants cite *City of Newport v. Fact Concerts*, which applies to municipalities.

However, individual defendants sued under §1983 may be liable for punitive damages.

See:

Smith v. Wade, 461 U.S. 30 (1983)

B. Sovereign Immunity

Defendants assert sovereign immunity.

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However, state officials sued in their individual capacities are not protected by sovereign immunity.

See:

Hafer v. Melo, 502 U.S. 21 (1991)

C. Heck v. Humphrey

Defendants invoke Heck v. Humphrey, which bars claims that necessarily invalidate a criminal conviction.

Plaintiff's claims concern conditions of confinement and civil rights violations, not the validity of a conviction.

See:

Wilkinson v. Dotson, 544 U.S. 74 (2005)

D. Comparative Fault / Assumption of Risk

These defenses are typically associated with negligence claims and have limited applicability to constitutional claims under §1983.

See:

County of Sacramento v. Lewis, 523 U.S. 833 (1998)

IV. DEFENSES ASSERTED WITHOUT FACTUAL SUPPORT SHOULD BE STRICKEN

Defendants' Answer includes numerous generic defenses including:

- waiver
- estoppel
- laches
- offset
- setoff
- assumption of risk
- comparative fault
- unclean hands

These defenses are asserted without factual allegations explaining how they apply to the facts of this case.

Courts routinely strike such defenses where they are merely placeholders.

See:

Barnes v. AT&T Pension Benefit Plan,
718 F. Supp. 2d 1167 (N.D. Cal. 2010)

Allowing unsupported defenses to remain in the pleadings unnecessarily complicates discovery and litigation.

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Courts have consistently held that affirmative defenses must contain enough factual basis to provide fair notice.

II. DEFENDANTS' ANSWER FAILS TO COMPLY WITH RULE 8

Federal Rule of Civil Procedure 8(b) requires a defendant to:

1. Admit or deny each allegation, and
2. Fairly respond to the substance of the allegations.

Instead of answering the specific allegations contained in Plaintiff's Third Amended Complaint, Defendants submitted a boilerplate answer denying nearly every allegation without meaningful explanation.

Courts routinely reject such responses.

See:

Lane v. Page, 272 F.R.D. 581 (D.N.M. 2011)
(striking affirmative defenses consisting of boilerplate statements lacking factual support).

III. DEFENDANTS' AFFIRMATIVE DEFENSES ARE BOILERPLATE

Defendants' Answer includes numerous affirmative defenses asserted in a generic "A-Z" format without factual support.

Courts have repeatedly held that such generic defenses are legally insufficient.

See:

Zotos v. Lindbergh School District, 121 F.3d 356 (8th Cir. 1997)

Courts routinely strike defenses where they:

- are conclusory
- lack factual support
- merely recite legal doctrines

IV. BOILERPLATE DEFENSES PREJUDICE PLAINTIFF

Allowing such defenses to remain in the pleadings causes substantial prejudice because it:

- obscures the actual issues in dispute
- delays discovery
- forces Plaintiff to litigate defenses that may not apply

This prejudice is particularly significant where, as here, Plaintiff is a federal prisoner litigating pro se with limited access to legal resources.

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PLAINTIFF'S RULE 55 DEFAULT FRAMEWORK ARGUMENT

Plaintiff respectfully submits this filing to address the procedural consequences of Defendants' failure to timely plead and the risk of default under Federal Rule of Civil Procedure 55.

I. RULE 55 DEFAULT STANDARD

Federal Rule of Civil Procedure 55(a) provides:

> "When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend the clerk must enter the party's default."

The purpose of Rule 55 is to ensure compliance with procedural rules and protect plaintiffs from obstruction or delay.

II. DEFENDANTS FAILED TO TIMELY RESPOND

Defendants allowed the deadline to answer the complaint to pass before seeking leave to file.

Courts consistently hold that failure to timely respond places defendants at risk of default.

See:

Johnson v. Dayton Electric Manufacturing Co., 140 F.3d 781 (8th Cir. 1998)

The Eighth Circuit recognized that when a defendant fails to timely plead, default may be appropriate to enforce procedural rules.

III. DEFENDANTS' CONDUCT REFLECTS DELAY TACTICS

The Court should also consider the broader litigation context.

Defendants have:

- delayed filing their answer
- submitted a boilerplate response denying all allegations
- asserted generic affirmative defenses without factual support

Such conduct reflects a litigation strategy aimed at delay rather than resolution.

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V. STRIKING THESE DEFENSES WILL STREAMLINE THE LITIGATION

One purpose of Rule 12(f) is to eliminate insufficient defenses early in the litigation process.

See:

Fantasy, Inc. v. Fogerty,
984 F.2d 1524 (9th Cir. 1993)

Removing unsupported defenses helps focus the litigation on the actual issues in dispute.

Because Defendants' affirmative defenses lack factual support and many are legally inapplicable, striking them will promote efficiency and clarity in this case.

VI. REQUEST FOR RELIEF

For the reasons stated above, Plaintiff respectfully requests that this Court:

1. Strike Defendants' affirmative defenses listed in their Answer (Doc. 103-3) pursuant to Federal Rule of Civil Procedure 12(f);
 2. Require Defendants to file an amended answer containing only legally valid defenses supported by factual allegations;
 3. Grant any additional relief the Court deems just and proper.
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CONCLUSION

Defendants' affirmative defenses consist largely of boilerplate legal doctrines asserted without factual support and without explanation of how they apply to Plaintiff's claims.

Because these defenses fail to provide fair notice and are legally insufficient, they should be stricken under Federal Rule of Civil Procedure 12(f).

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Federal courts have repeatedly emphasized that default procedures exist to deter such behavior.

PLAINTIFF WILL BE PREJUDICED BY FURTHER DELAY

This case already involves events dating back to 2024.

Further delay threatens:

loss of evidence
witness memory degradation
spoliation of records

The risk of prejudice is particularly acute where Defendants have previously indicated that evidence may never reach the courtroom or public view.

THE COURT SHOULD ENFORCE PROCEDURAL RULES

Federal litigation depends on adherence to procedural deadlines.

Allowing parties to ignore deadlines without consequence undermines the integrity of the judicial process.

The Eighth Circuit has repeatedly emphasized that district courts possess broad discretion to enforce deadlines and procedural rules.

Plaintiff respectfully requests that the Court:

1. Recognize that Defendants' failure to timely plead places them at risk of default under Rule 55;
2. Deny Defendants' motion to file out of time;
3. Strike the untimely Answer; and
4. Grant any further relief the Court deems just and proper.

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THIS CASE INVOLVES SERIOUS CONSTITUTIONAL CLAIMS

Plaintiff's complaint alleges serious constitutional violations including:

denial of medical treatment
interference with legal mail
retaliation
religious discrimination
unconstitutional jail policies

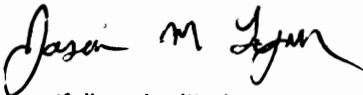
These claims survived screening under 28 U.S.C. §1915A, meaning the Court has already determined they present plausible constitutional violations.

Defendants therefore should be required to provide a full and good-faith answer addressing each claim.

REQUESTED RELIEF

Plaintiff respectfully requests that the Court:

1. Strike Defendants' boilerplate Answer;
2. Strike all unsupported affirmative defenses;
3. Order Defendants to file a complete and good-faith Answer to the Third Amended Complaint; and
4. Grant any other relief the Court deems appropriate.

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Respectfully submitted,

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