

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

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TAMMICH DOWNS

Lynch v. Does et al.
Case No. 4:24-cv-00740-LPR-BBM

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

FEB 26 2026

TAMMICH DOWNS, CLERK
By: [Signature] DEP CLERK

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

CENTRAL DIVISION

JASON MATTHEW LYNCH
Plaintiff

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

DOES 1 3, et al.
Defendants

PLAINTIFF'S REPLY TO DEFENDANT TURN KEY HEALTH CLINICS, LLC'S ANSWER AND AFFIRMATIVE DEFENSES

Plaintiff Jason Matthew Lynch, proceeding pro se, pursuant to Federal Rule of Civil Procedure 8(b) and 7(a)(7), states as follows in reply to Defendant Turn Key Health Clinics, LLC's Answer:

I. GENERAL RESPONSE

1. Plaintiff denies Defendant's blanket denials and specifically asserts that Defendant's Answer contains material misstatements of fact and law.
2. Plaintiff re-alleges and incorporates by reference all allegations contained in the Third Amended Complaint as if fully set forth herein.

II. RESPONSE TO DEFENDANT'S NUMBERED RESPONSES

Paragraph 1 (General Denial)

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Plaintiff denies Defendant's general denial and states that the Third Amended Complaint provides detailed factual allegations, medical records, dates, and documentation sufficient under Rule 8(a). The Complaint is neither incomprehensible nor duplicative but reflects the severity and duration of constitutional violations.

Paragraph 2 (Jurisdiction and §1983 Liability)

Plaintiff agrees that this Court has jurisdiction under 42 U.S.C. §1983. Plaintiff denies Defendant's assertion that he is not entitled to relief under 42 U.S.C. §§1981 and 1985 and states that conspiracy and discriminatory interference claims are adequately pled.

Paragraph 3 (Identity)

Plaintiff states that his identity, inmate number, and incarceration location are matters of public record and known to Defendant. Any denial based on lack of knowledge is not made in good faith.

Paragraph 4 (Contractual Relationship)

Plaintiff admits Defendant was contracted by White County but denies that Defendant can evade liability.

Under *West v. Atkins*, private medical contractors acting under color of state law are state actors for §1983 purposes. Defendant's contractual relationship establishes state action.

Plaintiff further asserts that Defendant maintained policies and practices governing medication administration which directly caused the constitutional violations alleged.

Paragraph 5 (Constitutional Violations)

Plaintiff denies Defendant's denial and states:

HIV requiring uninterrupted ART constitutes a serious medical need under *Estelle v. Gamble*.

Knowledge of interruption or mishandling of ART and failure to correct it constitutes deliberate indifference under *Farmer v. Brennan*.

Defendant's policies were the moving force behind constitutional injury under *Monell v. Department of Social Services*.

Plaintiff alleges prolonged interruption and/or improper administration of Biktarvy creating risk of viral rebound and immune compromise.

Paragraph 6 (Medical Treatment Allegations)

Defendant admits Plaintiff was prescribed Biktarvy and seen by medical staff.

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Plaintiff denies Defendant's denial of misconduct and states:

Medication was mishandled and/or interrupted.

Dissolving protocol was not consistently followed. *-only done the last few days before leaving
-total of maybe 5 times. and it was still
crushed, thus altering the dose*

Medication was delayed and/or withheld.

Chronic care documentation does not negate deliberate indifference over extended periods.

Interruption of ART, even intermittently, creates substantial risk of serious harm.

Paragraph 7 (Handwritten Logs)

Plaintiff denies Defendant's characterization of logs as illegible or irrelevant. The logs document:

Dates of missed doses

Grievances filed

Symptoms experienced

Staff responses

They constitute contemporaneous evidence.

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Paragraph 8 (Damages)

Plaintiff denies Defendant's denial of entitlement to relief and reaffirms claims for compensatory and punitive damages.

III. RESPONSE TO AFFIRMATIVE DEFENSES

I. Agency / Vicarious Liability

Plaintiff asserts direct liability based on Defendant's policies, customs, training failures, and supervisory actions.

II. Standard of Care

Plaintiff denies that care met constitutional standards. Deliberate indifference is shown by prolonged interruption of ART.

III. Proximate Cause

Plaintiff asserts that Defendant's acts and omissions were the direct and proximate cause of physical and constitutional injury.

IV. Failure to State a Claim

Plaintiff states the Complaint satisfies Rule 8 and states plausible claims under §1983. 1981, & 1985

V. PLRA Exhaustion

Plaintiff affirmatively states that:

Grievances were filed.

Remedies were obstructed and/or unavailable.

Under *Ross v. Blake*, unavailable remedies do not bar suit.

VII. Good Faith Immunity

Private prison medical contractors are not entitled to qualified immunity under *Richardson v. McKnight*.

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VIII. Punitive Damages

Punitive damages are proper where conduct shows reckless indifference to federally protected rights.

IX. Informed Consent

Informed consent does not excuse unconstitutional deprivation of necessary medication. *or allow wanton Acting*

X & XI. Assumption of Risk / Contributory Fault

Plaintiff denies voluntarily assuming risk of untreated HIV and denies contributory negligence.

XII. Policy Not Moving Force

Plaintiff asserts Defendant maintained policies regarding medication distribution and supervision which caused the injury.

XIII. Mere Disagreement With Treatment

This case involves denial/interruption of prescribed ART, not disagreement over medical judgment.

XIV. Fault of Others

Defendant remains liable for its own acts and omissions regardless of others' conduct.

XV. Conspiracy

Plaintiff maintains allegations of coordinated actions sufficient to state a conspiracy claim under §1985.

XVI. Supervisory Liability

Defendant exercised supervisory authority over medical staff and maintained policies governing treatment.

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XVII. Statute of Limitations

All claims were filed within the applicable limitations period.

XVIII. Eleventh Amendment

Defendant is a private corporation and not entitled to Eleventh Amendment immunity.

XIX & XX. Reservation of Defenses

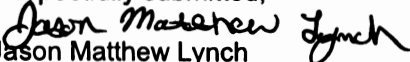
Plaintiff denies any unspecified defenses.

IV. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that:

1. Defendant's affirmative defenses be denied;
2. Defendant's Motion for More Definite Statement be denied;
3. The case proceed to discovery;
4. Judgment be entered in Plaintiff's favor;
5. Plaintiff receive compensatory and punitive damages;
6. The Court grant all other relief deemed just and proper.

Respectfully submitted,


Jason Matthew Lynch

Reg. #07405-510

FCI El Reno

Pro Se Plaintiff