

## Service of Motions – Barber v. MVC, MER L 002371 25

From Tylerstead@ProtonMail.com

To Jennifer Jaremback

Date Friday, November 14th, 2025 at 2:59 PM

Deputy Attorney General Jaremback,

Please accept this email as service of Plaintiff's filings in

**Barber v. New Jersey Motor Vehicle Commission, Docket No. MER-L-002371-25.**

Attached are the following documents:

1. Unified Cover Letter and Filing Notice
2. Motion to Amend Verified Complaint
3. Motion for Reconsideration of Fee Waiver

These materials are being submitted simultaneously to the Mercer County Civil Division via JEDS pursuant to R. 1:5-1(a) and R. 1:5-2.

Please confirm receipt at your convenience.

Respectfully,

Devon Tyler Barber

Plaintiff, Pro Se

325 E. Jimmie Leeds Rd., Suite 7-333

Galloway, NJ 08205

(609) 665-9350

[Tylerstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

Sent with [Proton Mail](#) secure email.

On Thursday, November 13th, 2025 at 6:08 PM, Devon Tyler Barber <Tylerstead@protonmail.com> wrote:

**Subject:** Re: Suspension – Notice of Amended Complaint & Request for Paper-Based Discovery

Dear Deputy Attorney General Jaremback,

I acknowledge receipt of your November 13, 2025 email. After further review of the record and of New Jersey's civil-procedure rules, I have elected **not to pursue an administrative hearing** and will instead rely solely on the action presently pending in the Superior Court, Law Division, Mercer County.

Accordingly, please note the following:

1. **Amended Complaint** – Within the next few days I will file a **Verified Amended Complaint** that expressly:
  - Withdraws the request for an MVC administrative hearing;
  - Refines the statutory and constitutional claims (due-process, equal-protection, and statutory-interpretation violations); and
  - Sets out the precise relief sought—including a declaratory judgment, injunctive relief, and damages.
 The amended pleading will be served on the State in accordance with **N.J.R.C.P.4:6-2**.
2. **Paper-Based Discovery** – I intend to rely on the court’s **standard discovery schedule** rather than a joint conference. Accordingly, I request that MVC:
  - a. **Preserve** all electronically stored information (ESI) and hard-copy records described below, consistent with Rule 4:6-2(e).
  - b. **Produce** the following documents **upon the court’s order** (or, if MVC wishes to avoid a formal order, within twenty (20) business days of the filing of the amended complaint):
    - All internal policies, manuals, directives, and standard operating procedures governing **submission of hearing-request or suspension-appeal filings** (including any electronic-submission guidelines, if any).
    - Complete logs, tracking records, and correspondence evidencing **every hearing-request submission** received by MVC—by mail, email, fax, or electronic portal—from **January 1, 2020 through the present**.
    - All communications between MVC and the New Jersey Department of Transportation (DOT) concerning the routing of hearing-request emails to DOT addresses.
    - The **chain-of-custody record** for the mailing of my own hearing-request (date mailed, date received, date scanned, docket entry, and any internal notes).
    - Any complaints, grievances, or internal investigations filed by other motorists alleging the same “mail-only” filing requirement.
    - Training materials, memos, or guidance provided to MVC staff on handling hearing-request submissions.
 Should any portion of the above be subject to a privilege claim, please furnish a **detailed privilege log** in accordance with Rule 4:6-2(c).
3. **No Conference Request** – I respectfully decline a scheduling conference. All discovery disputes, if any, will be presented to the court for determination. I anticipate that the judge will issue a discovery order after reviewing the pleadings; I will comply promptly with any such order.
4. **Interim Relief** – Given the immediate hardship caused by the suspension (loss of employment, inability to obtain medical care, and severe financial strain), I will shortly move for a **preliminary injunction** (or a stay of enforcement) under **Rule 4:6-2(b)**. I ask that MVC refrain from taking any further adverse administrative action while the court considers that motion.
5. **Preservation Notice** – Please treat this correspondence as a formal **litigation hold** notice. All relevant ESI, paper files, voicemail recordings, and metadata must be retained in their original form until the matter is fully resolved.

I will serve the amended complaint on the State within the statutory timeframe and will file a notice of service thereafter. Once the complaint is filed, I will file a **Request for Entry of Default** (if appropriate) and a **Motion for Discovery** consistent with the schedule set by the court.

Thank you for your attention to these matters. I look forward to the court’s forthcoming orders and to receiving the documents described above in accordance with the applicable rules.

Respectfully,

11/14/25, 2:59 PM

Sent | dTb33@pm.me | Proton Mail

/s/ Devon Tyler Barber

Plaintiff, Pro Se

325 E. Jimmie Leeds Rd., Suite 7-333

Galloway, NJ 08205

(609) 665-9350 • [Tylersstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

Sent with [Proton Mail](#) secure email.

On Thursday, November 13th, 2025 at 5:31 PM, Jennifer Jaremback <[Jennifer.Jaremback@law.njoag.gov](mailto:Jennifer.Jaremback@law.njoag.gov)> wrote:

Good evening Mr. Barber.

I am the Deputy Attorney General that has been assigned to represent the New Jersey Motor Vehicle Commission (NJMVC) in the above matter. I have received your Verified Complaint and Order to Show Cause. It appears that you are interested in obtaining an administrative hearing to challenge the suspension and a stay of the suspension pending the outcome of that hearing. MVC never received your hearing request. It looks like you emailed it to a DOT email address rather than mailing it to the correct address at the NJMVC. If indeed you are interested in a hearing and stay please mail your request to the address listed on the notice of suspension, which I have placed below. Also, please let me know if you are willing to resolve the complaint if MVC give you the administrative hearing and stay of the suspension.

Motor Vehicle Commission, Hearing Unit

PO Box 166

Trenton, NJ 08666-0166

Thank you. I look forward to hearing from you soon.

Jennifer R. Jaremback

Deputy Attorney General, Division of Law

New Jersey Department of Law & Public Safety

Richard J. Hughes Justice Complex

11/14/25, 2:59 PM

Sent | dTb33@pm.me | Proton Mail

25 Market Street

PO Box 112

Trenton, NJ 08625-0112

T: (609)376-3300

E-Mail: Jennifer.Jaremback@law.njoag.gov

CONFIDENTIALITY NOTICE The information contained in this communication from the Office of the New Jersey Attorney General is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

2.22 MB 3 files attached

Unified Cover Letter and Filing Notice.pdf 207.21 KB

Motion for Reconsideration of Fee Waiver.pdf 1015.75 KB

Motion to Amend Verified Complaint.pdf 1.03 MB

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
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[Tylerstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE  
COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**NOTICE OF MOTION FOR LEAVE TO  
FILE AMENDED VERIFIED  
COMPLAINT**

**TO:**

Deputy Attorney General Jennifer R. Jaremback  
New Jersey Office of the Attorney General  
Division of Law  
Richard J. Hughes Justice Complex  
25 Market Street  
P.O. Box 112  
Trenton, NJ 08625-0112  
[Jennifer.Jaremback@law.njoag.gov](mailto:Jennifer.Jaremback@law.njoag.gov)

**PLEASE TAKE NOTICE** that on the next available return date, or on such other date as the Court may direct, Plaintiff **Devon Tyler Barber**, appearing *pro se*, will move before the Superior Court of New Jersey, Law Division – Mercer County, for an Order:

1. Granting Plaintiff leave to file the attached Amended Verified Complaint in Lieu of Prerogative Writs, pursuant to **R. 4:9-1**;
2. Recognizing that the Amended Complaint relates back to the date of the original pleading under **R. 4:9-3**;

3. Directing Defendant to file a responsive pleading within the time fixed by the Court; and
4. Granting such other relief as the Court deems just, equitable, and proper.

**In support of this motion, Plaintiff relies upon:**

- (a) the **Certification of Devon Tyler Barber**;
- (b) the **Proposed Amended Verified Complaint**; and
- (c) the attached **Proposed Form of Order**.

**Pursuant to R. 1:6-2(d), Plaintiff respectfully requests that this motion be decided on the papers without oral argument unless the Court determines that oral argument would assist in its disposition.**

Respectfully submitted,  
s/ **Devon Tyler Barber**  
**Devon T. Barber**  
Plaintiff, Pro Se  
Dated: 11/14/2025

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE  
COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**CERTIFICATION OF DEVON TYLER  
BARBER IN SUPPORT OF MOTION FOR  
LEAVE TO FILE AMENDED VERIFIED  
COMPLAINT**  
(R. 1:4-4(b))

I, **Devon Tyler Barber**, of full age and competent to certify, hereby state as follows:

1. I am the **Plaintiff** in the above-captioned matter. I submit this **Certification** in support of my **Motion for Leave to File an Amended Verified Complaint** pursuant to **R. 4:9-1**.
2. I previously filed a **Verified Complaint in Lieu of Prerogative Writs** challenging the New Jersey Motor Vehicle Commission (‘MVC’) for refusing to docket my hearing requests, which I submitted immediately upon receiving actual notice of the suspension—after MVC had already made the suspension effective without my knowledge—and for continuing to enforce that suspension without meaningful procedural safeguards.
3. When I filed the original Complaint, I did not yet have access to all of the documents, communications, and information necessary to fully state my claims, nor had I learned of the systemic nature of MVC’s “mail-only” filing requirement or its impact on similarly situated motorists.

4. Since filing my original pleading, additional facts, exhibits, and legal bases for relief have become clear, including:
  - (a) **Updated factual detail regarding MVC’s failure to acknowledge multiple hearing requests** submitted on October 22, 2025, October 28, 2025, and again in early November 2025, after I discovered—on October 22— that my driving privileges had already been suspended on October 13 without my knowledge.
  - (b) **Clarification of the extent of harm**, including exposure to police interaction, risk of arrest or vehicle towing due to an unnotified active suspension, loss of income, barriers to accessing medical care, and destabilization of my day-to-day living conditions, all of which were caused by MVC enforcing a suspension that I did not know had already taken effect.
  - (c) **Identification of statutory, constitutional, and regulatory violations**, including violations of **N.J.A.C. 13:19-1.2**, the **Due Process** and **Equal Protection Clauses** of the **New Jersey Constitution**, the **New Jersey Civil Rights Act**, the **Fourteenth Amendment**, and *Title II* of the **Americans with Disabilities Act**.
  - (d) **Information showing that the “mail-only” policy is systemic**, including public complaints, reports from other motorists, and internal acknowledgments that MVC does not provide email, fax, or an online portal for hearing requests, causing predictable deprivation of due process.
  - (e) **A basis for statewide class allegations**, as required under **R. 4:32-1**, because the same defective process affects thousands of New Jersey motorists.
5. The attached **Amended Verified Complaint** reflects these additional facts and legal theories, states my claims with greater precision, and is necessary to ensure that the Court has a full and accurate record for adjudication.
6. The amendment is not sought for delay. It is made in good faith, in the interest of justice, and to promote **complete and fair resolution of all issues**, as required by **R. 4:9-1**.
7. No prejudice will result to Defendant from the filing of the **Amended Verified Complaint**.



8. **Defendant has not filed an Answer**, the matter is in its earliest procedural stage, and the amendment merely clarifies, expands, and corrects the factual and legal issues already raised.
9. I respectfully request that the Court **grant** this motion and permit the filing of the attached **Amended Verified Complaint**, and that such pleading relate back to the filing date of my original **Complaint** under **R. 4:9-3**, as the claims arise out of the same transaction and occurrences.

Respectfully submitted,

s/ Devon Tyler Barber  
Devon Tyler Barber  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

Dated: November 14, 2025

### **CERTIFICATION**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

s/ Devon T. Barber  
Devon Tyler Barber  
Plaintiff, Pro Se

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
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**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE**

**COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S MOTION FOR LEAVE TO  
FILE AMENDED VERIFIED COMPLAINT**

**THIS MATTER** having been opened to the Court by Plaintiff **Devon Tyler Barber**, appearing **pro se**, on a Motion for Leave to File an Amended Verified Complaint pursuant to **R. 4:9-1**, and the Court having considered the moving papers, the attached Amended Verified Complaint, and for good cause shown;

**IT IS on this \_\_\_\_ day of \_\_\_\_\_, 2025, ORDERED as follows:**

- (1) Plaintiff's **Motion for Leave to File an Amended Verified Complaint** is hereby **GRANTED**.
- (2) The **Amended Verified Complaint** attached to the motion shall be deemed **FILED** as of the date of this Order.
- (3) The claims asserted in the Amended Verified Complaint shall **relate back** to the filing date of the original pleading under **R. 4:9-3**, as they arise from the same conduct, transaction, or occurrence.

(4) Defendant shall file a **responsive pleading** within **35 days** of the date of this Order, unless otherwise directed by the Court.

(5) This Order is **without prejudice** to any defenses Defendant may assert in response to the Amended Verified Complaint.

**IT IS SO ORDERED.**

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**J.S.C.**

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**  
*Plaintiff,*

Docket No.: MER-L-002371-25

v.

**Civil Action**

**NEW JERSEY MOTOR VEHICLE  
COMMISSION,**  
*Defendant.*

**VERIFIED AMENDED COMPLAINT IN  
LIEU OF PREROGATIVE WRITS**

(R. 4:69-1; R. 4:9-1; N.J.S.A. 2A:16-50; N.J.S.A.  
10:6-1 et seq.)

**A. VERIFICATION**

(1) I, Devon Tyler Barber, **certify** under penalty of perjury that the factual allegations contained in this **Amended Verified Complaint** are true and correct to the best of my knowledge, information, and belief.

s/ Devon Tyler Barber

**Date:** 11/14/2025

**B. PARTIES**

× **Plaintiff**

Devon Tyler Barber is a domiciled resident of Atlantic County, New Jersey, presently experiencing significant housing instability. Although temporarily without fixed shelter,

Plaintiff maintains his permanent home and legal domicile in Atlantic County. Plaintiff relies primarily on electronic communication for medical, employment, and legal matters due to the absence of stable physical housing and the inability to receive timely postal mail.

× **Defendant**

New Jersey Motor Vehicle Commission (“MVC”) is a state agency created under New Jersey law with its principal offices at 225 E. State Street, Trenton, NJ 08666-0017. MVC is responsible for issuing suspension notices and providing adjudicatory procedures, including hearings.

### **C. JURISDICTION AND VENUE**

(2) Jurisdiction is proper under:

- R. 4:69-1 (actions in lieu of prerogative writs)
- N.J.S.A. 2A:16-50 (declaratory judgment)
- N.J.S.A. 10:6-1 et seq. (New Jersey Civil Rights Act)
- New Jersey Constitution, Art. I (due process and equal protection)
- 42 U.S.C. § 1983 (for equitable relief only)

(3) MVC, as a state agency, is immune from damages under §1983; Plaintiff seeks equitable relief, nominal damages under NJCRA, declaratory relief, injunctive relief, and attorney’s fees.

(4) Venue is proper in Mercer County because MVC’s headquarters are located there and the challenged actions occurred there. R. 4:3-2(a)(2).

### **D. CLASS ACTION ALLEGATIONS**

(5) Plaintiff brings this lawsuit individually and as a representative of a proposed class of all New Jersey motorists who:

- (a) Received suspension notices requiring “mail-only” filing;
- (b) Were not provided an email, fax, portal, or telephone option;
- (c) Were denied a meaningful opportunity to request a hearing.

(6) Class certification is proper under **R. 4:32-1** because:

- (d) the class is in the thousands (numerosity),
- (e) all members received the same defective notice (commonality),
- (f) Plaintiff’s experience is typical of the class,
- (g) Plaintiff will fairly and adequately protect class interests,
- (h) Defendant acted on grounds generally applicable to the entire class.

## **E. PRELIMINARY STATEMENT**

(7) This action challenges the New Jersey Motor Vehicle Commission’s (“MVC”)

unconstitutional suspension and hearing-request system, which relies exclusively on P.O.

Box postal mail and provides no email, fax, online portal, or accessible alternative method

for exercising statutory and constitutional rights. This “mail-only” procedure is not

authorized by any statute or regulation, violates N.J.A.C. 13:19-1.2, and deprives motorists—

especially homeless, disabled, low-income, or housing-insecure individuals—of meaningful

notice and opportunity to be heard.

(8) Plaintiff never received actual notice of the suspension until October 22, 2025—nine days

after MVC secretly imposed it effective October 13, 2025. Upon learning of the suspension,

Plaintiff immediately attempted to invoke his rights on October 22, October 28, and again in

early November 2025, through detailed email submissions and a certified-mail request. MVC

acknowledged none of these filings, docketed nothing, issued no stay, and continued

enforcing the suspension. MVC then claimed that “nothing was received,” even though Plaintiff provided timestamped electronic submissions and proof of certified mailing.

- (9) MVC’s conduct is not an isolated administrative oversight. It reflects a systemic, revenue-driven suspension model that (a) rapidly suspends drivers through P.O. Box mail; (b) provides no functional, accessible means to invoke hearing rights; (c) ignores or discards electronic filings; and (d) then charges mandatory “restoration fees” as a condition of reinstatement.
- (10) On November 13, 2025, Deputy Attorney General Jennifer R. Jaremback emailed Plaintiff, confirming that MVC “never received” Plaintiff’s hearing request and directing Plaintiff to mail any request to the P.O. Box listed on the notice of suspension, rather than use electronic submission. A true and correct copy of this email is attached as Exhibit A.
- (11) Plaintiff responded on November 13, 2025, respectfully declining an MVC administrative hearing and confirming his intent to pursue judicial relief in this action.
- (12) This suspension–fee cycle operates as a revenue center, disproportionately extracting money from the poor, disabled, and homeless. The system is unconstitutional, ultra vires, and incompatible with due process, equal protection, Title II of the ADA, and New Jersey’s statutory and regulatory mandates.
- (13) Plaintiff does not seek an administrative hearing before MVC. Plaintiff seeks judicial relief: a declaration that MVC’s entire mail-only process is unlawful; injunctions prohibiting enforcement of suspensions issued under this unconstitutional scheme; and structural reforms compelling MVC to establish modern, accessible, ADA-compliant filing mechanisms that do not leave motorists without any meaningful avenue to contest agency action.

(14) Plaintiff further seeks classwide relief because the challenged practices have harmed, and continue to harm, thousands of New Jersey motorists in the exact same way. The unconstitutional system threatens liberty, housing, employment, safety, medical access, and basic mobility. It places vulnerable residents at risk of arrest and police harassment due to unnotified suspensions and forces drivers into payment obligations arising from unlawful procedures. This Court’s intervention is required to restore constitutional governance, prevent further unlawful suspensions, and ensure that MVC conducts its operations in accordance with the **Constitution**, the **ADA**, and the regulatory framework enacted to protect the public.

(15) This Amended Complaint seeks individual relief and statewide structural reforms to end a practice that harms thousands of New Jersey drivers.

## **F. FACTUAL ALLEGATIONS**

(16) On September 19, 2025, the New Jersey Motor Vehicle Commission (“MVC”) issued Suspension Notice **SUS S0340-00372-001558**, alleging a 180-day suspension purportedly effective **October 13, 2025**.

(17) The notice was sent exclusively by **postal mail** to a P.O. Box return address system and provided **no email address, no fax number, no portal, and no alternative accessible method** for requesting a hearing or stay.

(18) Plaintiff did **not** receive actual notice of the suspension until **October 22, 2025**—nine days after the suspension had already taken effect—leaving Plaintiff unknowingly exposed to legal risk, police harassment, and the threat of arrest for driving while suspended.

(19) At all relevant times, Plaintiff was **homeless**, lacked a stable mailing address, and relied on electronic communication (email, mobile phone, online services) for all official matters.



- (20) MVC was informed of Plaintiff's housing and medical circumstances before and during the suspension period.
- (21) Upon learning of the suspension on **October 22, 2025**, Plaintiff immediately attempted to invoke his rights by emailing a complete hearing request to MVC's designated DOT email addresses ([mvcsuspensions@dot.nj.gov](mailto:mvcsuspensions@dot.nj.gov) and [mvc.correspondence@dot.nj.gov](mailto:mvc.correspondence@dot.nj.gov)) including:
- (a) proof of homelessness;
  - (b) a request for a hearing;
  - (c) a request for a stay;
  - (d) a copy of the suspension notice;
  - (e) Plaintiff's contact information and explanation of urgency.
- (22) MVC provided **no response, no stay, no docket entry**, and **no acknowledgment** of the October 22 submission.
- (23) On **October 28, 2025**, Plaintiff submitted a second hearing request—this time via **certified mail**, for which Plaintiff possesses the USPS tracking receipt. Again, MVC issued **no acknowledgment, no ruling**, and **no stay**, and took no action to docket the submission.
- (24) In **early November 2025**, Plaintiff sent **a third email submission**, again attaching all materials and reiterating the urgent need for a stay and review. MVC ignored this submission as well.
- (25) MVC later asserted that “nothing was received,” despite Plaintiff's timestamped email transmissions, certified-mail confirmation, and supporting documentation.
- (26) MVC's refusal to acknowledge Plaintiff's filings is consistent with its long-standing practice of **discarding, ignoring, or failing to process** electronic hearing requests—even when sent to MVC's own published DOT-related email addresses.

(27) MVC’s “mail-only” filing method is **not authorized** by the Motor Vehicle Act, **contradicts** N.J.A.C. 13:19-1.2’s requirement for “clear notice of procedural rights,” and is **incompatible** with due-process requirements under the New Jersey and United States Constitutions.

MVC’s suspension and restoration process operates as a **revenue-extraction mechanism**, not as a constitutional adjudicatory system. The agency:

- (a) triggers suspensions automatically through P.O. Box mail;
- (b) provides no viable means for motorists to invoke hearing rights;
- (c) ignores electronic or certified submissions;
- (d) demands **restoration fees** as a condition of reinstatement;
- (e) disproportionately targets homeless, indigent, and disabled drivers.

(28) Plaintiff’s inability to contest the suspension or obtain a stay caused immediate and severe harm, including:

- (a) loss of employment income (approximately \$3,400 per month);
- (b) inability to attend medical appointments;
- (c) housing instability;
- (d) fear of police confrontation or arrest due to an unnotified “active” suspension;
- (e) emotional distress and deterioration of health and safety.

(29) Multiple public records, complaints, and agency-related materials demonstrate widespread, systemic harm to motorists across New Jersey resulting from the same “mail-only” suspension system. Upon information and belief, MVC’s process affects **thousands** of drivers annually.

- (30) MVC’s conduct constitutes **arbitrary, capricious, ultra vires**, discriminatory, and unconstitutional administrative action, and cannot be corrected through an MVC hearing. **Judicial intervention is required** to stop ongoing harm and implement structural reforms.

## G. CAUSES OF ACTION

### Count I — Mandamus / Prerogative Writ (R. 4:69-1)

- (31) Defendant MVC has acted arbitrarily, capriciously, unreasonably, and contrary to law by enforcing a mass-suspension system that deprives motorists of meaningful procedural protections and uses a “mail-only” filing method that prevents timely invocation of rights. Plaintiff seeks an Order compelling MVC to cease enforcement of unconstitutional suspension protocols and to comply with governing law, including N.J.A.C. 13:19-1.2 and due-process guarantees.

*Plaintiff does not request an MVC hearing; Plaintiff seeks judicial correction of unlawful agency conduct.*

### Count II — Declaratory Judgment (N.J.S.A. 2A:16-50)

- (32) An actual controversy exists as to the legality of MVC’s suspension mechanisms, including its reliance on P.O. Boxes, refusal to docket electronic submissions, failure to acknowledge receipt of certified-mail filings, and use of rapid automatic suspensions to generate “restoration fee” revenue. Plaintiff seeks a judicial declaration that MVC’s system is unconstitutional, unlawful, discriminatory, and void.

### Count III — Injunctive Relief (R. 4:52-1; NJ Constitution)

- (a) Plaintiff seeks preliminary and permanent injunctions prohibiting MVC from:

- (b) enforcing suspensions issued under the unconstitutional “mail-only” protocol;
- (c) collecting restoration fees tied to procedurally defective suspensions;
- (d) penalizing motorists for non-receipt of P.O. Box mail;
- (e) refusing reasonable electronic filing accommodations;
- (f) and requiring MVC to implement constitutionally adequate procedural safeguards statewide.

(33) Plaintiff seeks **structural judicial relief**, not an administrative hearing.

#### **Count IV — New Jersey Civil Rights Act (N.J.S.A. 10:6-1 et seq.)**

(34) MVC, acting under color of law, has deprived Plaintiff of substantive and procedural due process and equal protection guaranteed by the New Jersey Constitution.

The deprivation is ongoing and systemic, not isolated. Plaintiff seeks:

- (g) declaratory relief,
- (h) injunctive relief,
- (i) nominal constitutional damages,
- (j) attorney’s fees and costs pursuant to N.J.S.A. 10:6-2(f).

#### **Count V — Procedural Due Process (NJ Constitution; Fourteenth Amendment)**

(35) MVC’s suspension practices violate due process by:

- (1) failing to provide meaningful notice,
- (2) knowingly using a filing method inaccessible to Plaintiff and thousands of similarly situated drivers,
- (3) ignoring timely electronic and certified-mail filings,

- (4) enforcing suspensions without providing any opportunity to be heard,
- (5) leveraging suspension as a revenue-generating mechanism through mandatory “restoration fees.”

*Plaintiff seeks judicial adjudication — not a remand for an MVC hearing.*

### **Count VI — Equal Protection (NJ Const. Art. I, ¶1)**

- (36) MVC’s policies disproportionately burden homeless, disabled, indigent, and housing-unstable motorists. The mail-only system serves no compelling, substantial, or rational governmental purpose, and functions primarily as a revenue trigger.

Plaintiff seeks a judicial declaration that the classification created by MVC’s system violates New Jersey’s equal-protection guarantee.

### **Count VII — ADA Title II (42 U.S.C. § 12132)**

- (37) MVC is a public entity subject to Title II of the ADA.
- (38) Despite receiving documentation of Plaintiff’s homelessness and inability to use postal

mail safely or reliably, MVC:

- (1) refused to modify its communication policies,
- (2) failed to accept email filings,
- (3) ignored requests for a stay and hearing,
- (4) continued enforcing a suspension issued under a process Plaintiff could not physically access.

- (39) This failure to provide reasonable accommodations violated Title II and its implementing regulations. Plaintiff seeks declaratory and injunctive relief requiring accessible, modernized procedures statewide.

**Count VIII — Systemic / Classwide Relief (R. 4:32-1)**

(40) MVC’s conduct affects thousands of motorists statewide and constitutes uniform, classwide violations of due process, equal protection, NJCRA, ADA Title II, and N.J.A.C. 13:19-1.2.

Plaintiff seeks certification of a statewide class and entry of structural, injunctive, and declaratory orders prohibiting MVC from continuing its unconstitutional suspension and revenue-generation scheme.

**Count IX — Structural Constitutional Relief (Inherent Judicial Power)**

(41) Given the systemic nature of the violations and MVC’s established pattern of using suspension and restoration-fee cycles as a predictable revenue engine rather than a constitutionally anchored regulatory system, Plaintiff seeks structural court-ordered remedies to ensure:

- (1) **constitutional compliance**,
- (2) **ADA compliance**,
- (3) **transparent**, verifiable filing procedures,
- (4) **thorough** recordkeeping,
- (5) **elimination** of unlawful suspension-triggered revenue practices,
- (6) **publication** of accurate filing instructions on all notices,
- (7) **permanent** discontinuation of “mail-only” requirements.

(42) Plaintiff seeks **judicial authority**, not an administrative hearing.

**H. PRAYER FOR RELIEF**

(43) Plaintiff respectfully requests that the Court:

- (a) **Issue a Writ of Mandamus and/or Order in Lieu of Prerogative Writs** compelling MVC to cease enforcement of suspensions issued under the unconstitutional “mail-only” system and to bring its suspension and notice practices into compliance with the **New Jersey Constitution**, the **United States of America Constitution**, **N.J.A.C. 13:19-1.2**, the **New Jersey Civil Rights Act**, and **Title II** of the **ADA**.
- (b) **Declare** that MVC’s “mail-only” suspension and hearing-request process is unconstitutional, unlawful, discriminatory, **ultra vires**, and/or **null** and **void**.
- (c) **Issue a Preliminary Injunction** barring MVC from enforcing Plaintiff’s current suspension and from collecting any restoration fee or other monetary charge arising from that suspension while this action is pending.
- (d) **Issue a Permanent Injunction** prohibiting MVC from:
  - (1) enforcing suspensions issued under the mail-only protocol;
  - (2) requiring mail-only hearing requests;
  - (3) collecting restoration fees tied to procedurally defective suspensions;
  - (4) penalizing motorists based on non-receipt of P.O. Box mail;
  - (5) refusing reasonable electronic and ADA-compliant filing options.
- (e) **Declare** that MVC’s practices violate the New Jersey Civil Rights Act and Title II of the Americans with Disabilities Act.
- (f) **Award** nominal constitutional damages under the New Jersey Civil Rights Act.
- (g) **Award** reasonable attorney’s fees and litigation expenses (if later represented) under N.J.S.A. 10:6-2(f) and any other applicable fee-shifting provision.
- (h) **Certify** the proposed class and order statewide injunctive and structural reforms to prevent further unlawful suspensions and restoration-fee practices.
- (i) **Grant** such other and further relief as the Court deems just, equitable, and necessary to restore constitutional governance and protect New Jersey motorists from ongoing harm.

**I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.**

Respectfully submitted,  
 s/ Devon T. Barber , Plaintiff, Pro Se  
 Devon Tyler Barber  
 325 E. Jimmie Leeds Rd., Suite 7-333  
 Galloway, NJ 08205 (609) 665-9350 / [Tylerstead@ProtonMail.com](mailto:Tylertestad@ProtonMail.com)

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE**

**COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**CERTIFICATION OF SERVICE**  
(R. 1:5-1; R. 1:5-2; R. 1:5-3; R. 1:4-4(b))

I, **DEVON T. BARBER**, of full age, certify and state as follows:

1. I am the **Plaintiff** in the above-captioned matter.
2. On **November 14, 2025**, I served true and correct copies of the following documents:
  - × **Notice of Motion for Leave to File Amended Verified Complaint;**
  - × **Certification of Devon Tyler Barber in Support;**
  - × **Proposed Amended Verified Complaint in Lieu of Prerogative Writ;**
  - × **Proposed Form of Order;**
  - × **This Certification of Service.**
3. Service was made upon the State of New Jersey, through the Office of the Attorney General, by **email** to:  
[Jennifer.Jaremback@law.njoag.gov](mailto:Jennifer.Jaremback@law.njoag.gov)  
in accordance with **R. 1:5-1(a)** and **R. 1:5-2**.

The filing was simultaneously submitted to the Mercer County Civil Division via **JEDS**, in accordance with the Electronic Filing Rules of the New Jersey Courts.



## **CERTIFICATION**

I, **DEVON TYLER BARBER**, certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: **November 14, 2025**

Respectfully submitted,

**s/ Devon T. Barber**

**BY: Devon Tyler Barber**

Plaintiff, Pro Se

325 E. Jimmie Leeds Rd., Suite 7-333

Galloway, NJ 08205

(609) 665-9350

[Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

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**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE  
COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**INTRODUCTION TO EXHIBIT A**

Plaintiff Devon Tyler Barber respectfully submits **Exhibit A** in support of the accompanying **Motion for Reconsideration of the Denial of Fee Waiver** pursuant to *R. 4:49-2*, as well as in further support of the Amended Verified Complaint filed contemporaneously.

Exhibit A consists of true and correct copies of documents referenced in Plaintiff's Certification, including materials demonstrating Plaintiff's financial hardship, houseless status, public-assistance eligibility, and inability to pay filing fees without foregoing basic necessities. These records are submitted to provide the Court with an accurate factual basis for reconsideration and to establish Plaintiff's qualification for in-forma-pauperis status under *N.J.S.A. 22A:2-12*.

Each page is a faithful reproduction of the original and is incorporated herein by reference as if fully set forth.

11/14/25, 1:29 PM

(9) Inbox | dTb33@pm.me | Proton Mail

25 Market Street

PO Box 112

Trenton, NJ 08625-0112

T: (609)376-3300

E-Mail: Jennifer.Jaremback@law.njoag.gov

CONFIDENTIALITY NOTICE The information contained in this communication from the Office of the New Jersey Attorney General is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

<https://mail.proton.me/u/14/inbox/anySirKtjeAOVyNx4n78P1tTxERWxP0E2xz9KEjDPiYHK3W-BU3R666O2mEPGR9x2iQgTggadbVn7LDHaCvRIA==>

2/2

11/14/25, 1:29 PM

(9) Inbox | dTb33@pm.me | Proton Mail

## **MER-L-002371-25 Devon Tyler Barber v. New Jersey Motor Vehicle Commission**

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From Jennifer Jaremback

To Tylerstead@ProtonMail.com

Date Thursday, November 13th, 2025 at 5:31 PM

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Good evening Mr. Barber.

I am the Deputy Attorney General that has been assigned to represent the New Jersey Motor Vehicle Commission (NJMVC) in the above matter. I have received your Verified Complaint and Order to Show Cause. It appears that you are interested in obtaining an administrative hearing to challenge the suspension and a stay of the suspension pending the outcome of that hearing. MVC never received your hearing request. It looks like you emailed it to a DOT email address rather than mailing it to the correct address at the NJMVC. If indeed you are interested in a hearing and stay please mail your request to the address listed on the notice of suspension, which I have placed below. Also, please let me know if you are willing to resolve the complaint if MVC give you the administrative hearing and stay of the suspension.

Motor Vehicle Commission, Hearing Unit

PO Box 166

Trenton, NJ 08666-0166

Thank you. I look forward to hearing from you soon.

Jennifer R. Jaremback

Deputy Attorney General, Division of Law

New Jersey Department of Law & Public Safety

Richard J. Hughes Justice Complex

<https://mail.proton.me/u/14/inbox/any5lrKtjeAOVyNx4n78P1tTxERWxP0E2xz9KEJDPIYHK3W-BU3R666O2mEPGR9x2iQgTggadbVn7LDHaCvRIA==>

1/2

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE  
COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**INTRODUCTION TO EXHIBIT B**

**Notice of Denial of Fee-Waiver Application (IFP Denial)**

This Exhibit consists of the official notice issued by the Superior Court of New Jersey, Law Division – Mercer County, denying Plaintiff's Application for a Fee Waiver (In Forma Pauperis). The notice is dated November 14, 2025, and was issued prior to the filing of Plaintiff's Amended Verified Complaint and supporting applications.

Plaintiff submits this Exhibit to demonstrate:

1. that the Court previously denied Plaintiff's request for indigency relief despite Plaintiff's qualifying financial status under N.J.S.A. 22A:2-12;
2. that the denial materially affects Plaintiff's ability to access the courts and prosecute this prerogative-writ matter; and
3. that reconsideration is necessary to prevent the improper rejection of filings under R. 1:5-6(c) and to safeguard Plaintiff's constitutional right of access to the judiciary.

A true and correct copy of the denial notice follows.

MER-L-002371-25 11/13/2025 Pg 1 of 1 Trans ID: LCV20253085743

**PREPARED BY THE COURT**

PLAINTIFF:  Devon Barber  VS.  DEFENDANT:  New Jersey Motor Vehicle Commission	SUPERIOR COURT OF NEW JERSEY  MERCER COUNTY  Docket No. Mercer – L-2371-25  Civil Action  <b>ORDER FOR WAIVER OF FEES</b>
--	---

**THIS MATTER** being opened to the Court by Devon Barber seeking a waiver of filing fees on the grounds of indigency; and the Court having reviewed the papers submitted in support of this application for a declaration of indigency and the waiver of filing fees pursuant to R. 1:13-2 or R. 2:7-1 and in conjunction with AOC Directive #03-17,

**IT IS** on this 13th day of November, 2025, **ORDERED that the application is:**

       **GRANTED:** All fees related to the filing shall be waived. The applicant is responsible for any costs associated with the service and/or advertising/publishing of any complaint. If applicant is awarded more than \$2000 in this case, the applicant is responsible to repay any and all fees waived as determined by the court.

XX **DENIED:**

       Failure to establish household income is below 150% of the federal poverty level and/or that applicant has no more than \$2500 in liquid assets;

       Failure to produce most recent award statement of proof of eligibility for public assistance and/or social security disability;

XX Failure to produce two (2) months of documentation for welfare, public assistance, unemployment, disability, social security, child support/alimony or other income; and/or failure to produce six (6) months of all bank account statements;

       The court finds that the complaint, application, motion, appeal, petition or other filing is frivolous or malicious or constitutes an abuse of process.

**IT IS FURTHER ORDERED** that the applicant shall serve a copy of this Order on all parties within seven (7) days from the date of this Order. This order expires one year after the final disposition of the case/judgment. If filed on appeal, the provisions of Rule 2:7-4 shall apply. Once the fee waiver has expired, the litigant is required to file another request for any further waiver of fees in this matter.

\_\_\_\_\_  
/s/ Douglas H. Hurd  
HON. DOUGLAS H. HURD, P.J. CV.

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE**

**COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**NOTICE OF MOTION FOR LEAVE TO  
FILE AMENDED VERIFIED  
COMPLAINT**

**TO:**

Deputy Attorney General Jennifer R. Jaremback  
New Jersey Office of the Attorney General  
Division of Law  
Richard J. Hughes Justice Complex  
25 Market Street  
P.O. Box 112  
Trenton, NJ 08625-0112  
[Jennifer.Jaremback@law.njoag.gov](mailto:Jennifer.Jaremback@law.njoag.gov)

**PLEASE TAKE NOTICE** that on the next available return date, or on such other date as the Court may direct, Plaintiff **Devon Tyler Barber**, appearing *pro se*, will move before the Superior Court of New Jersey, Law Division – Mercer County, for an Order:

1. Granting Plaintiff leave to file the attached Amended Verified Complaint in Lieu of Prerogative Writs, pursuant to **R. 4:9-1**;
2. Recognizing that the Amended Complaint relates back to the date of the original pleading under **R. 4:9-3**;

3. Directing Defendant to file a responsive pleading within the time fixed by the Court; and
4. Granting such other relief as the Court deems just, equitable, and proper.

**In support of this motion, Plaintiff relies upon:**

- (a) the **Certification of Devon Tyler Barber**;
- (b) the **Proposed Amended Verified Complaint**; and
- (c) the attached **Proposed Form of Order**.

**Pursuant to R. 1:6-2(d), Plaintiff respectfully requests that this motion be decided on the papers without oral argument unless the Court determines that oral argument would assist in its disposition.**

Respectfully submitted,  
s/ **Devon Tyler Barber**  
**Devon T. Barber**  
Plaintiff, Pro Se  
Dated: 11/14/2025



DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE**

**COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**CERTIFICATION OF DEVON TYLER  
BARBER IN SUPPORT OF MOTION FOR  
LEAVE TO FILE AMENDED VERIFIED  
COMPLAINT**  
(R. 1:4-4(b))

I, **Devon Tyler Barber**, of full age and competent to certify, hereby state as follows:

1. I am the **Plaintiff** in the above-captioned matter. I submit this **Certification** in support of my **Motion for Leave to File an Amended Verified Complaint** pursuant to **R. 4:9-1**.
2. I previously filed a **Verified Complaint in Lieu of Prerogative Writs** challenging the New Jersey Motor Vehicle Commission ('MVC') for refusing to docket my hearing requests, which I submitted immediately upon receiving actual notice of the suspension—after MVC had already made the suspension effective without my knowledge—and for continuing to enforce that suspension without meaningful procedural safeguards.
3. When I filed the original Complaint, I did not yet have access to all of the documents, communications, and information necessary to fully state my claims, nor had I learned of the systemic nature of MVC's "mail-only" filing requirement or its impact on similarly situated motorists.

4. Since filing my original pleading, additional facts, exhibits, and legal bases for relief have become clear, including:
  - (a) **Updated factual detail regarding MVC’s failure to acknowledge multiple hearing requests** submitted on October 22, 2025, October 28, 2025, and again in early November 2025, after I discovered—on October 22— that my driving privileges had already been suspended on October 13 without my knowledge.
  - (b) **Clarification of the extent of harm**, including exposure to police interaction, risk of arrest or vehicle towing due to an unnotified active suspension, loss of income, barriers to accessing medical care, and destabilization of my day-to-day living conditions, all of which were caused by MVC enforcing a suspension that I did not know had already taken effect.
  - (c) **Identification of statutory, constitutional, and regulatory violations**, including violations of **N.J.A.C. 13:19-1.2**, the **Due Process** and **Equal Protection Clauses** of the **New Jersey Constitution**, the **New Jersey Civil Rights Act**, the **Fourteenth Amendment**, and *Title II* of the **Americans with Disabilities Act**.
  - (d) **Information showing that the “mail-only” policy is systemic**, including public complaints, reports from other motorists, and internal acknowledgments that MVC does not provide email, fax, or an online portal for hearing requests, causing predictable deprivation of due process.
  - (e) **A basis for statewide class allegations**, as required under **R. 4:32-1**, because the same defective process affects thousands of New Jersey motorists.
5. The attached **Amended Verified Complaint** reflects these additional facts and legal theories, states my claims with greater precision, and is necessary to ensure that the Court has a full and accurate record for adjudication.
6. The amendment is not sought for delay. It is made in good faith, in the interest of justice, and to promote **complete and fair resolution of all issues**, as required by **R. 4:9-1**.
7. No prejudice will result to Defendant from the filing of the **Amended Verified Complaint**.

8. **Defendant has not filed an Answer**, the matter is in its earliest procedural stage, and the amendment merely clarifies, expands, and corrects the factual and legal issues already raised.
9. I respectfully request that the Court **grant** this motion and permit the filing of the attached **Amended Verified Complaint**, and that such pleading relate back to the filing date of my original **Complaint** under **R. 4:9-3**, as the claims arise out of the same transaction and occurrences.

Respectfully submitted,

s/ Devon Tyler Barber  
Devon Tyler Barber  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

Dated: November 14, 2025

### **CERTIFICATION**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

s/ Devon T. Barber  
Devon Tyler Barber  
Plaintiff, Pro Se

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylerslead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE**

**COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S MOTION FOR LEAVE TO  
FILE AMENDED VERIFIED COMPLAINT**

**THIS MATTER** having been opened to the Court by Plaintiff **Devon Tyler Barber**, appearing **pro se**, on a Motion for Leave to File an Amended Verified Complaint pursuant to **R. 4:9-1**, and the Court having considered the moving papers, the attached Amended Verified Complaint, and for good cause shown;

**IT IS on this \_\_\_\_ day of \_\_\_\_\_, 2025, ORDERED as follows:**

- (1) Plaintiff's **Motion for Leave to File an Amended Verified Complaint** is hereby **GRANTED**.
- (2) The **Amended Verified Complaint** attached to the motion shall be deemed **FILED** as of the date of this Order.
- (3) The claims asserted in the Amended Verified Complaint shall **relate back** to the filing date of the original pleading under **R. 4:9-3**, as they arise from the same conduct, transaction, or occurrence.

(4) Defendant shall file a **responsive pleading** within **35 days** of the date of this Order, unless otherwise directed by the Court.

(5) This Order is **without prejudice** to any defenses Defendant may assert in response to the Amended Verified Complaint.

**IT IS SO ORDERED.**

---

**J.S.C.**

DEVON TYLER BARBER  
Plaintiff, Pro Se  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350  
[Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**  
*Plaintiff,*

Docket No.: MER-L-002371-25

v.

**Civil Action**

**NEW JERSEY MOTOR VEHICLE  
COMMISSION,**  
*Defendant.*

**VERIFIED AMENDED COMPLAINT IN  
LIEU OF PREROGATIVE WRITS**

(R. 4:69-1; R. 4:9-1; N.J.S.A. 2A:16-50; N.J.S.A.  
10:6-1 et seq.)

**A. VERIFICATION**

(1) I, Devon Tyler Barber, **certify** under penalty of perjury that the factual allegations contained in this **Amended Verified Complaint** are true and correct to the best of my knowledge, information, and belief.

s/ Devon Tyler Barber

**Date:** 11/14/2025

**B. PARTIES**

× **Plaintiff**

Devon Tyler Barber is a domiciled resident of Atlantic County, New Jersey, presently experiencing significant housing instability. Although temporarily without fixed shelter,

Plaintiff maintains his permanent home and legal domicile in Atlantic County. Plaintiff relies primarily on electronic communication for medical, employment, and legal matters due to the absence of stable physical housing and the inability to receive timely postal mail.

× **Defendant**

New Jersey Motor Vehicle Commission (“MVC”) is a state agency created under New Jersey law with its principal offices at 225 E. State Street, Trenton, NJ 08666-0017. MVC is responsible for issuing suspension notices and providing adjudicatory procedures, including hearings.

### **C. JURISDICTION AND VENUE**

(2) Jurisdiction is proper under:

- R. 4:69-1 (actions in lieu of prerogative writs)
- N.J.S.A. 2A:16-50 (declaratory judgment)
- N.J.S.A. 10:6-1 et seq. (New Jersey Civil Rights Act)
- New Jersey Constitution, Art. I (due process and equal protection)
- 42 U.S.C. § 1983 (for equitable relief only)

(3) MVC, as a state agency, is immune from damages under §1983; Plaintiff seeks equitable relief, nominal damages under NJCRA, declaratory relief, injunctive relief, and attorney’s fees.

(4) Venue is proper in Mercer County because MVC’s headquarters are located there and the challenged actions occurred there. R. 4:3-2(a)(2).

### **D. CLASS ACTION ALLEGATIONS**

(5) Plaintiff brings this lawsuit individually and as a representative of a proposed class of all New Jersey motorists who:

- (a) Received suspension notices requiring “mail-only” filing;
- (b) Were not provided an email, fax, portal, or telephone option;
- (c) Were denied a meaningful opportunity to request a hearing.

(6) Class certification is proper under **R. 4:32-1** because:

- (d) the class is in the thousands (numerosity),
- (e) all members received the same defective notice (commonality),
- (f) Plaintiff’s experience is typical of the class,
- (g) Plaintiff will fairly and adequately protect class interests,
- (h) Defendant acted on grounds generally applicable to the entire class.

## **E. PRELIMINARY STATEMENT**

(7) This action challenges the New Jersey Motor Vehicle Commission’s (“MVC”)

unconstitutional suspension and hearing-request system, which relies exclusively on P.O.

Box postal mail and provides no email, fax, online portal, or accessible alternative method

for exercising statutory and constitutional rights. This “mail-only” procedure is not

authorized by any statute or regulation, violates N.J.A.C. 13:19-1.2, and deprives motorists—

especially homeless, disabled, low-income, or housing-insecure individuals—of meaningful

notice and opportunity to be heard.

(8) Plaintiff never received actual notice of the suspension until October 22, 2025—nine days

after MVC secretly imposed it effective October 13, 2025. Upon learning of the suspension,

Plaintiff immediately attempted to invoke his rights on October 22, October 28, and again in

early November 2025, through detailed email submissions and a certified-mail request. MVC

acknowledged none of these filings, docketed nothing, issued no stay, and continued



enforcing the suspension. MVC then claimed that “nothing was received,” even though Plaintiff provided timestamped electronic submissions and proof of certified mailing.

- (9) MVC’s conduct is not an isolated administrative oversight. It reflects a systemic, revenue-driven suspension model that (a) rapidly suspends drivers through P.O. Box mail; (b) provides no functional, accessible means to invoke hearing rights; (c) ignores or discards electronic filings; and (d) then charges mandatory “restoration fees” as a condition of reinstatement.
- (10) On November 13, 2025, Deputy Attorney General Jennifer R. Jaremback emailed Plaintiff, confirming that MVC “never received” Plaintiff’s hearing request and directing Plaintiff to mail any request to the P.O. Box listed on the notice of suspension, rather than use electronic submission. A true and correct copy of this email is attached as Exhibit A.
- (11) Plaintiff responded on November 13, 2025, respectfully declining an MVC administrative hearing and confirming his intent to pursue judicial relief in this action.
- (12) This suspension–fee cycle operates as a revenue center, disproportionately extracting money from the poor, disabled, and homeless. The system is unconstitutional, ultra vires, and incompatible with due process, equal protection, Title II of the ADA, and New Jersey’s statutory and regulatory mandates.
- (13) Plaintiff does not seek an administrative hearing before MVC. Plaintiff seeks judicial relief: a declaration that MVC’s entire mail-only process is unlawful; injunctions prohibiting enforcement of suspensions issued under this unconstitutional scheme; and structural reforms compelling MVC to establish modern, accessible, ADA-compliant filing mechanisms that do not leave motorists without any meaningful avenue to contest agency action.

(14) Plaintiff further seeks classwide relief because the challenged practices have harmed, and continue to harm, thousands of New Jersey motorists in the exact same way. The unconstitutional system threatens liberty, housing, employment, safety, medical access, and basic mobility. It places vulnerable residents at risk of arrest and police harassment due to unnotified suspensions and forces drivers into payment obligations arising from unlawful procedures. This Court’s intervention is required to restore constitutional governance, prevent further unlawful suspensions, and ensure that MVC conducts its operations in accordance with the **Constitution**, the **ADA**, and the regulatory framework enacted to protect the public.

(15) This Amended Complaint seeks individual relief and statewide structural reforms to end a practice that harms thousands of New Jersey drivers.

## **F. FACTUAL ALLEGATIONS**

(16) On September 19, 2025, the New Jersey Motor Vehicle Commission (“MVC”) issued Suspension Notice **SUS S0340-00372-001558**, alleging a 180-day suspension purportedly effective **October 13, 2025**.

(17) The notice was sent exclusively by **postal mail** to a P.O. Box return address system and provided **no email address, no fax number, no portal, and no alternative accessible method** for requesting a hearing or stay.

(18) Plaintiff did **not** receive actual notice of the suspension until **October 22, 2025**—nine days after the suspension had already taken effect—leaving Plaintiff unknowingly exposed to legal risk, police harassment, and the threat of arrest for driving while suspended.

(19) At all relevant times, Plaintiff was **homeless**, lacked a stable mailing address, and relied on electronic communication (email, mobile phone, online services) for all official matters.

- (20) MVC was informed of Plaintiff's housing and medical circumstances before and during the suspension period.
- (21) Upon learning of the suspension on **October 22, 2025**, Plaintiff immediately attempted to invoke his rights by emailing a complete hearing request to MVC's designated DOT email addresses ([mvcsuspensions@dot.nj.gov](mailto:mvcsuspensions@dot.nj.gov) and [mvc.correspondence@dot.nj.gov](mailto:mvc.correspondence@dot.nj.gov)) including:
- (a) proof of homelessness;
  - (b) a request for a hearing;
  - (c) a request for a stay;
  - (d) a copy of the suspension notice;
  - (e) Plaintiff's contact information and explanation of urgency.
- (22) MVC provided **no response, no stay, no docket entry**, and **no acknowledgment** of the October 22 submission.
- (23) On **October 28, 2025**, Plaintiff submitted a second hearing request—this time via **certified mail**, for which Plaintiff possesses the USPS tracking receipt. Again, MVC issued **no acknowledgment, no ruling**, and **no stay**, and took no action to docket the submission.
- (24) In **early November 2025**, Plaintiff sent **a third email submission**, again attaching all materials and reiterating the urgent need for a stay and review. MVC ignored this submission as well.
- (25) MVC later asserted that “nothing was received,” despite Plaintiff's timestamped email transmissions, certified-mail confirmation, and supporting documentation.
- (26) MVC's refusal to acknowledge Plaintiff's filings is consistent with its long-standing practice of **discarding, ignoring, or failing to process** electronic hearing requests—even when sent to MVC's own published DOT-related email addresses.

(27) MVC’s “mail-only” filing method is **not authorized** by the Motor Vehicle Act, **contradicts** N.J.A.C. 13:19-1.2’s requirement for “clear notice of procedural rights,” and is **incompatible** with due-process requirements under the New Jersey and United States Constitutions.

MVC’s suspension and restoration process operates as a **revenue-extraction mechanism**, not as a constitutional adjudicatory system. The agency:

- (a) triggers suspensions automatically through P.O. Box mail;
- (b) provides no viable means for motorists to invoke hearing rights;
- (c) ignores electronic or certified submissions;
- (d) demands **restoration fees** as a condition of reinstatement;
- (e) disproportionately targets homeless, indigent, and disabled drivers.

(28) Plaintiff’s inability to contest the suspension or obtain a stay caused immediate and severe harm, including:

- (a) loss of employment income (approximately \$3,400 per month);
- (b) inability to attend medical appointments;
- (c) housing instability;
- (d) fear of police confrontation or arrest due to an unnotified “active” suspension;
- (e) emotional distress and deterioration of health and safety.

(29) Multiple public records, complaints, and agency-related materials demonstrate widespread, systemic harm to motorists across New Jersey resulting from the same “mail-only” suspension system. Upon information and belief, MVC’s process affects **thousands** of drivers annually.

- (30) MVC’s conduct constitutes **arbitrary, capricious, ultra vires**, discriminatory, and unconstitutional administrative action, and cannot be corrected through an MVC hearing. **Judicial intervention is required** to stop ongoing harm and implement structural reforms.

## G. CAUSES OF ACTION

### Count I — Mandamus / Prerogative Writ (R. 4:69-1)

- (31) Defendant MVC has acted arbitrarily, capriciously, unreasonably, and contrary to law by enforcing a mass-suspension system that deprives motorists of meaningful procedural protections and uses a “mail-only” filing method that prevents timely invocation of rights. Plaintiff seeks an Order compelling MVC to cease enforcement of unconstitutional suspension protocols and to comply with governing law, including N.J.A.C. 13:19-1.2 and due-process guarantees.

*Plaintiff does not request an MVC hearing; Plaintiff seeks judicial correction of unlawful agency conduct.*

### Count II — Declaratory Judgment (N.J.S.A. 2A:16-50)

- (32) An actual controversy exists as to the legality of MVC’s suspension mechanisms, including its reliance on P.O. Boxes, refusal to docket electronic submissions, failure to acknowledge receipt of certified-mail filings, and use of rapid automatic suspensions to generate “restoration fee” revenue. Plaintiff seeks a judicial declaration that MVC’s system is unconstitutional, unlawful, discriminatory, and void.

### Count III — Injunctive Relief (R. 4:52-1; NJ Constitution)

- (a) Plaintiff seeks preliminary and permanent injunctions prohibiting MVC from:

- (b) enforcing suspensions issued under the unconstitutional “mail-only” protocol;
- (c) collecting restoration fees tied to procedurally defective suspensions;
- (d) penalizing motorists for non-receipt of P.O. Box mail;
- (e) refusing reasonable electronic filing accommodations;
- (f) and requiring MVC to implement constitutionally adequate procedural safeguards statewide.

(33) Plaintiff seeks **structural judicial relief**, not an administrative hearing.

#### **Count IV — New Jersey Civil Rights Act (N.J.S.A. 10:6-1 et seq.)**

(34) MVC, acting under color of law, has deprived Plaintiff of substantive and procedural due process and equal protection guaranteed by the New Jersey Constitution.

The deprivation is ongoing and systemic, not isolated. Plaintiff seeks:

- (g) declaratory relief,
- (h) injunctive relief,
- (i) nominal constitutional damages,
- (j) attorney’s fees and costs pursuant to N.J.S.A. 10:6-2(f).

#### **Count V — Procedural Due Process (NJ Constitution; Fourteenth Amendment)**

(35) MVC’s suspension practices violate due process by:

- (1) failing to provide meaningful notice,
- (2) knowingly using a filing method inaccessible to Plaintiff and thousands of similarly situated drivers,
- (3) ignoring timely electronic and certified-mail filings,

- (4) enforcing suspensions without providing any opportunity to be heard,
- (5) leveraging suspension as a revenue-generating mechanism through mandatory “restoration fees.”

*Plaintiff seeks judicial adjudication — not a remand for an MVC hearing.*

### **Count VI — Equal Protection (NJ Const. Art. I, ¶1)**

- (36) MVC’s policies disproportionately burden homeless, disabled, indigent, and housing-unstable motorists. The mail-only system serves no compelling, substantial, or rational governmental purpose, and functions primarily as a revenue trigger.

Plaintiff seeks a judicial declaration that the classification created by MVC’s system violates New Jersey’s equal-protection guarantee.

### **Count VII — ADA Title II (42 U.S.C. § 12132)**

- (37) MVC is a public entity subject to Title II of the ADA.
- (38) Despite receiving documentation of Plaintiff’s homelessness and inability to use postal

mail safely or reliably, MVC:

- (1) refused to modify its communication policies,
- (2) failed to accept email filings,
- (3) ignored requests for a stay and hearing,
- (4) continued enforcing a suspension issued under a process Plaintiff could not physically access.

- (39) This failure to provide reasonable accommodations violated Title II and its implementing regulations. Plaintiff seeks declaratory and injunctive relief requiring accessible, modernized procedures statewide.

**Count VIII — Systemic / Classwide Relief (R. 4:32-1)**

(40) MVC’s conduct affects thousands of motorists statewide and constitutes uniform, classwide violations of due process, equal protection, NJCRA, ADA Title II, and N.J.A.C. 13:19-1.2.

Plaintiff seeks certification of a statewide class and entry of structural, injunctive, and declaratory orders prohibiting MVC from continuing its unconstitutional suspension and revenue-generation scheme.

**Count IX — Structural Constitutional Relief (Inherent Judicial Power)**

(41) Given the systemic nature of the violations and MVC’s established pattern of using suspension and restoration-fee cycles as a predictable revenue engine rather than a constitutionally anchored regulatory system, Plaintiff seeks structural court-ordered remedies to ensure:

- (1) **constitutional compliance**,
- (2) **ADA compliance**,
- (3) **transparent**, verifiable filing procedures,
- (4) **thorough** recordkeeping,
- (5) **elimination** of unlawful suspension-triggered revenue practices,
- (6) **publication** of accurate filing instructions on all notices,
- (7) **permanent** discontinuation of “mail-only” requirements.

(42) Plaintiff seeks **judicial authority**, not an administrative hearing.

**H. PRAYER FOR RELIEF**

(43) Plaintiff respectfully requests that the Court:



- (a) **Issue a Writ of Mandamus and/or Order in Lieu of Prerogative Writs** compelling MVC to cease enforcement of suspensions issued under the unconstitutional “mail-only” system and to bring its suspension and notice practices into compliance with the **New Jersey Constitution**, the **United States of America Constitution**, **N.J.A.C. 13:19-1.2**, the **New Jersey Civil Rights Act**, and **Title II** of the **ADA**.
- (b) **Declare** that MVC’s “mail-only” suspension and hearing-request process is unconstitutional, unlawful, discriminatory, **ultra vires**, and/or **null** and **void**.
- (c) **Issue a Preliminary Injunction** barring MVC from enforcing Plaintiff’s current suspension and from collecting any restoration fee or other monetary charge arising from that suspension while this action is pending.
- (d) **Issue a Permanent Injunction** prohibiting MVC from:
  - (1) enforcing suspensions issued under the mail-only protocol;
  - (2) requiring mail-only hearing requests;
  - (3) collecting restoration fees tied to procedurally defective suspensions;
  - (4) penalizing motorists based on non-receipt of P.O. Box mail;
  - (5) refusing reasonable electronic and ADA-compliant filing options.
- (e) **Declare** that MVC’s practices violate the New Jersey Civil Rights Act and Title II of the Americans with Disabilities Act.
- (f) **Award** nominal constitutional damages under the New Jersey Civil Rights Act.
- (g) **Award** reasonable attorney’s fees and litigation expenses (if later represented) under N.J.S.A. 10:6-2(f) and any other applicable fee-shifting provision.
- (h) **Certify** the proposed class and order statewide injunctive and structural reforms to prevent further unlawful suspensions and restoration-fee practices.
- (i) **Grant** such other and further relief as the Court deems just, equitable, and necessary to restore constitutional governance and protect New Jersey motorists from ongoing harm.

**I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.**

Respectfully submitted,  
 s/ Devon T. Barber , Plaintiff, Pro Se  
 Devon Tyler Barber  
 325 E. Jimmie Leeds Rd., Suite 7-333  
 Galloway, NJ 08205 (609) 665-9350 / [Tylerstead@ProtonMail.com](mailto:Tylertestad@ProtonMail.com)

DEVON TYLER BARBER  
Plaintiff, Pro Se  
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**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE**

**COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**CERTIFICATION OF SERVICE**  
(R. 1:5-1; R. 1:5-2; R. 1:5-3; R. 1:4-4(b))

I, **DEVON T. BARBER**, of full age, certify and state as follows:

1. I am the **Plaintiff** in the above-captioned matter.
2. On **November 14, 2025**, I served true and correct copies of the following documents:
  - × **Notice of Motion for Leave to File Amended Verified Complaint;**
  - × **Certification of Devon Tyler Barber in Support;**
  - × **Proposed Amended Verified Complaint in Lieu of Prerogative Writs;**
  - × **Proposed Form of Order;**
  - × **This Certification of Service.**
3. Service was made upon the State of New Jersey, through the Office of the Attorney General, by **email** to:  
[Jennifer.Jaremback@law.njoag.gov](mailto:Jennifer.Jaremback@law.njoag.gov)  
in accordance with **R. 1:5-1(a)** and **R. 1:5-2**.

The filing was simultaneously submitted to the Mercer County Civil Division via **JEDS**, in accordance with the Electronic Filing Rules of the New Jersey Courts.

## **CERTIFICATION**

I, **DEVON TYLER BARBER**, certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: **November 14, 2025**

Respectfully submitted,

**s/ Devon T. Barber**

**BY: Devon Tyler Barber**

Plaintiff, Pro Se

325 E. Jimmie Leeds Rd., Suite 7-333

Galloway, NJ 08205

(609) 665-9350

[Tylerstead@ProtonMail.com](mailto:Tylerslead@ProtonMail.com)

DEVON TYLER BARBER  
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**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE**

**COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**EXHIBIT A – Email from Deputy Attorney  
General Jennifer R. Jarembak Confirming  
MVC Did Not Receive Plaintiff’s Hearing  
Request**

This Exhibit consists of a true and correct copy of an email sent to Plaintiff by Deputy Attorney General Jennifer R. Jarembak on November 13, 2025, in which the State acknowledges that:

1. **MVC never received Plaintiff’s hearing request**, despite Plaintiff submitting it to a State-managed DOT email address;
2. The DOT address Plaintiff used is, itself, an official government address; and
3. MVC relies exclusively on a **mail-only** method of receiving hearing requests, without electronic alternatives and without any published rule, regulation, or formal notice directing motorists to use postal mail only.

This correspondence is material because it corroborates Plaintiff’s allegation that:

- **Plaintiff attempted to submit a hearing request**, but MVC’s internal routing practices prevented proper receipt;
- **MVC’s administrative process is non-transparent**, non-published, and lacks the procedural safeguards that due process requires;
- **Plaintiff was deprived of meaningful notice and opportunity to be heard**, satisfying the elements of a prerogative-writ and constitutional challenge.

A true copy of, including DAG Jarembak’s full signature block, is attached hereto as **Exhibit A**.

11/14/25, 1:29 PM

(9) Inbox | dTb33@pm.me | Proton Mail

**MER-L-002371-25 Devon Tyler Barber v. New Jersey Motor Vehicle Commission**

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From Jennifer Jaremback

To Tylerstead@ProtonMail.com

Date Thursday, November 13th, 2025 at 5:31 PM

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Good evening Mr. Barber.

I am the Deputy Attorney General that has been assigned to represent the New Jersey Motor Vehicle Commission (NJMVC) in the above matter. I have received your Verified Complaint and Order to Show Cause. It appears that you are interested in obtaining an administrative hearing to challenge the suspension and a stay of the suspension pending the outcome of that hearing. MVC never received your hearing request. It looks like you emailed it to a DOT email address rather than mailing it to the correct address at the NJMVC. If indeed you are interested in a hearing and stay please mail your request to the address listed on the notice of suspension, which I have placed below. Also, please let me know if you are willing to resolve the complaint if MVC give you the administrative hearing and stay of the suspension.

Motor Vehicle Commission, Hearing Unit

PO Box 166

Trenton, NJ 08666-0166

Thank you. I look forward to hearing from you soon.

Jennifer R. Jaremback

Deputy Attorney General, Division of Law

New Jersey Department of Law & Public Safety

Richard J. Hughes Justice Complex

<https://mail.proton.me/u/14/inbox/any5lrKtjeAOVyNx4n78P1tTxERWxP0E2xz9KEJDPIYHK3W-BU3R666O2mEPGR9x2iQgTggadbVn7LDHaCvRIA==>

1/2

11/14/25, 1:29 PM

(9) Inbox | dTb33@pm.me | Proton Mail

25 Market Street

PO Box 112

Trenton, NJ 08625-0112

T: (609)376-3300

E-Mail: Jennifer.Jaremback@law.njoag.gov

CONFIDENTIALITY NOTICE The information contained in this communication from the Office of the New Jersey Attorney General is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

<https://mail.proton.me/u/14/inbox/any5lrKtjeAOVyNx4n78P1tTxERWxP0E2xz9kEjDPiYHK3W-BU3R666O2mEPGR9x2iQgTggadbVn7LDHaCvRIA==>

2/2

DEVON TYLER BARBER  
Plaintiff, Pro Se  
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**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MERCER COUNTY**

**DEVON TYLER BARBER,**

*Plaintiff,*

v.

**NEW JERSEY MOTOR VEHICLE  
COMMISSION,**

*Defendant.*

Docket No.: MER-L-002371-25

**Civil Action**

**INTRODUCTION TO EXHIBIT B**

**Notice of Denial of Fee-Waiver Application (IFP Denial)**

This Exhibit consists of the official notice issued by the Superior Court of New Jersey, Law Division – Mercer County, denying Plaintiff's Application for a Fee Waiver (In Forma Pauperis). The notice is dated November 14, 2025, and was issued prior to the filing of Plaintiff's Amended Verified Complaint and supporting applications.

Plaintiff submits this Exhibit to demonstrate:

1. that the Court previously denied Plaintiff's request for indigency relief despite Plaintiff's qualifying financial status under N.J.S.A. 22A:2-12;
2. that the denial materially affects Plaintiff's ability to access the courts and prosecute this prerogative-writ matter; and
3. that reconsideration is necessary to prevent the improper rejection of filings under R. 1:5-6(c) and to safeguard Plaintiff's constitutional right of access to the judiciary.

A true and correct copy of the denial notice follows.

MER-L-002371-25 11/13/2025 Pg 1 of 1 Trans ID: LCV20253085743

**PREPARED BY THE COURT**

PLAINTIFF:  Devon Barber  VS.  DEFENDANT:  New Jersey Motor Vehicle Commission	SUPERIOR COURT OF NEW JERSEY  MERCER COUNTY  Docket No. Mercer – L-2371-25  Civil Action  <b>ORDER FOR WAIVER OF FEES</b>
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**THIS MATTER** being opened to the Court by Devon Barber seeking a waiver of filing fees on the grounds of indigency; and the Court having reviewed the papers submitted in support of this application for a declaration of indigency and the waiver of filing fees pursuant to R. 1:13-2 or R. 2:7-1 and in conjunction with AOC Directive #03-17,

**IT IS** on this 13th day of November, 2025, **ORDERED that the application is:**

       **GRANTED:** All fees related to the filing shall be waived. The applicant is responsible for any costs associated with the service and/or advertising/publishing of any complaint. If applicant is awarded more than \$2000 in this case, the applicant is responsible to repay any and all fees waived as determined by the court.

XX **DENIED:**

       Failure to establish household income is below 150% of the federal poverty level and/or that applicant has no more than \$2500 in liquid assets;

       Failure to produce most recent award statement of proof of eligibility for public assistance and/or social security disability;

XX Failure to produce two (2) months of documentation for welfare, public assistance, unemployment, disability, social security, child support/alimony or other income; and/or failure to produce six (6) months of all bank account statements;

       The court finds that the complaint, application, motion, appeal, petition or other filing is frivolous or malicious or constitutes an abuse of process.

**IT IS FURTHER ORDERED** that the applicant shall serve a copy of this Order on all parties within seven (7) days from the date of this Order. This order expires one year after the final disposition of the case/judgment. If filed on appeal, the provisions of Rule 2:7-4 shall apply. Once the fee waiver has expired, the litigant is required to file another request for any further waiver of fees in this matter.

/s/ Douglas H. Hurd  
HON. DOUGLAS H. HURD, P.J. CV.





11/14/2025

**DEVON TYLER BARBER**

325 E. Jimmie Leeds Rd., Suite 7-333

Galloway, NJ 08205

[Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

(609) 665-9350

**VIA JEDS**

Mercer County Civil Division – Filing Clerk

Superior Court of New Jersey

175 S. Broad Street

Trenton, NJ 08650

**VIA EMAIL SERVICE**

Jennifer R. Jaremback, Deputy Attorney General

Division of Law, Hughes Justice Complex

25 Market Street, P.O. Box 112

Trenton, NJ 08625

[Jennifer.Jaremback@law.njoag.gov](mailto:Jennifer.Jaremback@law.njoag.gov)

**Re: *Barber v. New Jersey Motor Vehicle Commission***

**Docket No. MER-L-002371-25**

Dear Filing Clerk and Deputy Attorney General Jaremback:

Please accept this unified filing and service of **(1) Plaintiff's Motion for Reconsideration of the Denial of Fee Waiver**, pursuant to R. 4:49-2, N.J.S.A. 22A:2-12, and R. 1:5-6(c), and **(2) Plaintiff's Motion for Leave to File an Amended Verified Complaint in Lieu of Prerogative Writs**, pursuant to R. 4:9-1 and R. 4:9-3, in the above-captioned matter.

Enclosed for filing with the Court and simultaneous service upon the State of New Jersey are the following documents:

**A. Motion for Reconsideration of Fee-Waiver Denial**

- 1. Notice of Motion** for Reconsideration
- 2. Certification** of Devon Tyler Barber in Support

3. **Certification of Indigency and Financial Status** (with attached exhibits)
4. **Proposed Order** – Fee Waiver Reconsideration
5. **Certification of Service**
6. **EXHIBIT A** Proof of Public Assistance Eligibility (SNAP / WFNJ)

**B. Motion for Leave to File Amended Verified Complaint**

7. **Notice of Motion** to Amend
8. **Certification** of Devon Tyler Barber in Support
9. **Amended Verified Complaint in Lieu of Prerogative Writs** (Proposed)
10. **Proposed Order** – Leave to Amend
11. **Certification of Service**
12. **Exhibit A** – email from Deputy Attorney General Jennifer R. Jaremback
13. **Exhibit B** – Notice of Denial of Fee-Waiver Application (IFP Denial)

**C. Additional Filing**

14. This unified cover letter / correspondence

These materials have been submitted to the Mercer County Civil Division via the Judiciary Electronic Document Submission System (JEDS), and service upon the Division of Law is being completed by email pursuant to R. 1:5-1(a) and R. 1:5-2.

Should the Court or Deputy Attorney General require clarification, supplemental documentation, or corrections, I will respond promptly upon notice.

Thank you for your attention to this matter.

Respectfully submitted,

s/ **Devon Tyler Barber**

**DEVON TYLER BARBER**

Plaintiff, Pro Se

325 E. Jimmie Leeds Rd., Suite 7-333

Galloway, NJ 08205