

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

IN THE SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – SPECIAL CIVIL PART
ATLANTIC COUNTY

NEW JERSEY TURNPIKE AUTHORITY,
Plaintiff,
v.
DEVON TYLER BARBER,
Defendant / Counterclaimant.

Docket No.: ATL-DC-007956-25
Civil Action

NOTICE OF LETTER / CORRESPONDENCE
TO OPPOSING COUNSEL AND THIS
HONORABLE COURT

Docket No.: ATL-DC-007956-25

**Integrated Discovery and Affirmative Defense Correspondence with Demand for
Withdrawal of Unsupported Defenses and Preservation of Counterclaims**

Date: November 15, 2025

To: This Honorable Court and Counsel of Record

Durkin & Durkin, LLC, Attorneys for Plaintiff / Counterclaim Defendant
Via: Email + JEDS Correspondence Upload

From: **Devon Tyler Barber, Pro Se**
C/o 325 E. Jimmie Leeds Rd., Suite 7-333
Galloway, NJ 08205
Email: Tylerstead@protonmail.com

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**DISCOVERY TIMELINE CONFIRMATION &
COMPLIANCE LETTER**

Dear Counsel,

Pursuant to the Court's **October 27, 2025 Order**, which granted my Motion to Vacate Default, authorized the filing of my Amended Answer and Counterclaim dated October 8, 2025, and expressly permitted me to serve interrogatories, requests for admissions, and notices to produce within thirty (30) days of the Order, please be advised as follows:

I served all written discovery through JEDS on **October 27, 2025** (EF-3723731). In accordance with the Court's directive, the following deadlines apply under the New Jersey Court Rules:

- **Requests for Admissions:** due November 26, 2025 (R. 4:22-1)
- **Notices to Produce/Documents:** due December 1, 2025 (R. 4:18-1(b))
- **Interrogatories:** due December 26, 2025 (R. 4:17-4(b))

These deadlines are mandatory under the Court Rules and the Court's Order. Please ensure timely and complete responses. If any responses are incomplete or not provided by the deadline, I will proceed under **R. 4:23-1** and **R. 4:23-5**, including motions to compel and requests for appropriate relief.

Respectfully,

/s/ **Devon Tyler Barber**
Devon T. Barber
Defendant / Counterclaimant

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**DEMAND FOR FACTUAL BASIS OF
AFFIRMATIVE DEFENSES AND IMMEDIATE
WITHDRAWAL OF UNSUPPORTED
DEFENSES**

Dear Counsel,

Your Answer to my Counterclaim filed **November 5, 2025** includes eleven affirmative defenses. The Court's **October 27, 2025 Order** deemed my Amended Answer and Counterclaim (10/08/2025) to be the operative responsive pleading and directed Plaintiff to file an Answer within ten (10) days, which you have done.

Under **R. 4:5-4**, affirmative defenses must be grounded in specific facts known or reasonably available at the time of filing. Several defenses — including **Statute of Limitations, Res Judicata, Collateral Estoppel, Laches, Unclean Hands, Lack of Jurisdiction, Failure to Exhaust Administrative Remedies, and the Entire Controversy Doctrine** — appear unsupported and facially unreasonable given the Court's October 27 Order and the procedural history.

To avoid unnecessary motion practice, I demand that Plaintiff **immediately withdraw any affirmative defenses that lack factual and legal support**. Please provide a written response within **ten (10) days** confirming withdrawal or, alternatively, the precise factual and legal basis for each defense, including identification of documents, prior adjudications, or statutory authority relied upon.

Failure to comply will result in:

1. Motion practice under **R. 4:6-2** and **R. 4:6-5**;
2. Sanctions under **R. 1:4-8**;
3. A counterclaim seeking reimbursement for time and resources wasted responding to unsupported defenses; and
4. Any additional relief the Court deems appropriate.

Respectfully,

/s/ Devon Tyler Barber
Devon T. Barber
Defendant / Counterclaimant

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Docket No.: ATL-DC-007956-25

**NOTICE OF INTENT TO SEEK RULE 1:4-8
SANCTIONS AND PRESERVATION OF
COUNTERCLAIMS**

Dear Counsel,

This letter follows my prior demand for factual and legal bases for the affirmative defenses asserted in your **November 5, 2025 Answer**. Under the Court's **October 27, 2025 Order**, my Counterclaim is the operative pleading, and Plaintiff is required to act in accordance with NJ Court Rules.

Defenses including **Res Judicata, Collateral Estoppel, Unclean Hands, Laches, Lack of Jurisdiction, Failure to Exhaust Administrative Remedies, and the Entire Controversy Doctrine** appear unsupported and are clearly contrary to the procedural posture as clarified in the Court's Order.

The assertion of affirmative defenses **without reasonable inquiry or factual support** constitutes a violation of **R. 1:4-8(a)**. Accordingly, unless unsupported defenses are withdrawn **within twenty-one (21) days**, I will file a motion seeking:

1. Sanctions under **R. 1:4-8**;
2. Costs and fees attributable to responding to unsupported defenses;
3. Entry of judgment or relief on my counterclaim for wasted time and resources; and
4. Any additional relief the Court deems appropriate.

This notice satisfies NJ Court Rules and provides Plaintiff the opportunity to cure.

Respectfully,

/s/ Devon Tyler Barber
Devon T. Barber
Defendant / Counterclaimant

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Civil Action

CERTIFICATION OF SERVICE

CERTIFICATE OF SERVICE

I, **Devon Tyler Barber**, hereby certify that on **November 15, 2025**, I served a true and correct copy of the foregoing **Integrated Discovery and Affirmative Defense Correspondence with Demand for Withdrawal of Unsupported Defenses and Preservation of Counterclaims** via **JEDS electronic filing and email** upon:

Durkin & Durkin, LLC

Attorneys for Plaintiff / Counterclaim Defendant
1 Turnpike Plaza
Woodbridge, NJ 08205

Email: gkotchick@durkinlawfirm.com

srojas@durkinlawfirm.com

sarrigo@durkinlawfirm.com

Attorney of Record: Gregory Francis Kotchick (Bar ID: 027971999)

Service was effected in accordance with the **New Jersey Court Rules**, including **R. 1:6-2, R. 1:6-3**, and **JEDS electronic filing requirements**.

Respectfully submitted,
on this **fifteenth day of the eleventh month, year 2025, A.D.**

/ s / Devon T. Barber
Barber, Devon Tyler, Pro Se, in proper person

C/o 325 E. Jimmie Leeds Rd., Suite 7-333

Galloway, NJ 08205

Email: Tylerstead@protonmail.com

Phone: (609) 665-9350

Service of Amended Notice of Motion for Reconsideration – A-000308-25T3 (M-001668-25)

From dTb33@pm.me
To Jennifer.Kmieciak@njoag.gov, Allison Bach
AppellateInformation Mailbox
Date Friday, November 14th, 2025 at 3:47 PM

Dear Ms. Allison Bach, Clerk of the Appellate Division and Deputy Attorney General Kmieciak,

Please be advised that I have today filed, through Electronic service, the **Amended Notice of Motion for Reconsideration** in *State of New Jersey v. Devon T. Barber*, Appellate Division Docket No. **A-000308-25T3**, Motion No. **M-001668-25**.

Pursuant to the Motion Filing Notice issued on November 13, 2025, this corrected Notice expressly states the relief requested. No changes have been made to the supporting papers previously filed. For clarity and completeness, the Court's Deficiency Notice has been appended at the end of the attached PDF.

Attached please find:

- **Cover Letter / Correspondence**
- **Amended Notice of Motion for Reconsideration**
- **Certification of Service**
- **(with Deficiency Notice appended)**
- **FOREGOING DOCUMENTS ARE UNIFIED WITHIN SINGLE PDF TITLED: 'Amended Notice of Motion for Reconsideration Filing.pdf'**

This service is made pursuant to **R. 2:11-1**, simultaneous with electronic filing.

Please confirm receipt at your convenience.

Respectfully,

Devon Tyler Barber

Appellant, Pro Se

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

Galloway, NJ 08205

(609) 665-9350

Tylerstead@ProtonMail.com

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

300.02 KB 1 file attached

Amended Notice of Motion for Reconsideration Filing.pdf 300.02 KB