

DEVON TYLER BARBER,
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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – CIVIL PART
ATLANTIC COUNTY

DEVON TYLER BARBER,
Plaintiff, Pro Se,

v.

TOWNSHIP OF HAMILTON, et al.,
Defendants.

Docket No.: ATL-L-003252-25

SUPPLEMENTAL CERTIFICATION OF
DEVON TYLER BARBER

*(Re: Context, Proportionality, and
Due-Process Impact)*

I, Devon Tyler Barber, of full age, certify as follows:

1. I am the Plaintiff in the above-captioned matter. I submit this Supplemental Certification for the limited purpose of assisting the Court's evaluation of proportionality, reasonableness, and due-process impact arising from the November 29–30, 2025 stop, arrest, and seizure of my vehicle by the Hamilton Township Police Department. I have personal knowledge of the facts stated herein.
2. The operative facts of the encounter—including the asserted basis for the stop, the escalation, and the decision to seize and retain my vehicle—are set forth in my prior certifications and in discovery materials of record, including body-worn camera footage. This submission does not alter those facts; it provides contextual clarification relevant to the Court's constitutional and equitable analysis.
3. At the time of the incident, I was in a transition period between housing instability and permanent housing. My one-year residential lease, secured with assistance from the Atlantic County Emergency Assistance program, was scheduled to formally commence on December

1, 2025. Prior to that date, I had been provided keys and permission to begin moving my belongings into the residence.

4. On November 29, 2025—the day of the incident—I had spent the day moving furniture, boxes, and work tools in furtherance of that transition. I intended that evening to return to a motel in Mays Landing, where I was temporarily staying in connection with my Emergency Assistance placement and to care for my emotional support animal. Before I was able to reach that location, my vehicle was stopped and seized.
5. As a result, I was prevented from completing my planned travel, securing basic household necessities and personal effects, and attending to essential tasks required to establish a functional living space during a critical housing-stabilization period. The loss of transportation also materially interfered with my ability to care for my emotional support animal. At no point during the encounter was I asked to explain my circumstances or given an opportunity to provide documentation relating to my housing transition or destination before enforcement actions were taken.
6. The seizure and continued retention of my vehicle during this narrow but critical transition period immediately disrupted my ability to complete the move, secure my belongings and tools, attend medical and other necessary appointments, and maintain the basic mobility required to establish health, financial, and housing stability. The timing and circumstances of the seizure made the resulting disruption reasonably foreseeable.
7. I do not dispute that, under New Jersey law, a motor vehicle must be properly registered and insured to be operated on public roadways, and I assert no exemption from those requirements. The deprivation at issue is not a claimed right to operate a vehicle without compliance, but the loss of ordinary transportation and physical access resulting from the seizure and continued retention of my vehicle. That loss of access prevented me from meeting with prospective clients, pursuing lawful and regulated contracting opportunities as a New Jersey-licensed home-improvement contractor, attending medical and housing-related appointments, and maintaining basic life stability. These impacts are described without

conceding the asserted basis for the stop or any pending allegations concerning license, registration, or insurance status.

8. Courts have long recognized that environmental conditions and access to basic resources materially influence an individual's capacity for lawful compliance. See *Bearden v. Georgia*, 461 U.S. 660, 672–73 (1983) (recognizing that inability to comply due to circumstances, rather than willfulness, implicates fundamental fairness and due-process concerns). When stable housing, reliable transportation, and functional means of self-support are present, compliance with regulatory obligations becomes structurally feasible. Conversely, when those foundational supports are removed—particularly during critical transition periods—the capacity for compliance is materially undermined, regardless of intent or character.
9. In the present case, the seizure of my vehicle occurred at the precise moment I was transitioning from housing instability to lawful residential tenancy, actively moving belongings, and establishing the functional foundation necessary to maintain employment, attend appointments, and meet ordinary civic obligations. The seizure did not promote public safety or advance regulatory compliance; it removed the very infrastructure required to achieve compliance, thereby compounding hardship and destabilizing a vulnerable transition period. This is not a claim of exemption from motor vehicle laws, but a factual observation regarding proportionality: enforcement actions that eliminate access to stability do not advance the purposes they purport to serve.
10. I have consistently sought stability, lawful work, and self-sufficiency. With access to transportation and housing, I am able to meet clients, obtain contracts, and afford ordinary obligations. The challenged seizure operated in the opposite direction—removing access at the precise moment it was most needed and compounding hardship rather than advancing any legitimate governmental interest in public safety or regulatory compliance.
11. I further note, **without argument and without waiving any position**, that motions are pending seeking to preclude Defendants from relying on an alleged license suspension as a justification for the stop. Body-worn camera footage reflects officer statements bearing on

the actual basis for the stop. I recognize that full adjudication of those issues is scheduled for hearing on January 9, 2026; this Certification is submitted to ensure the Court has a clear and accurate record of the real-world impact of the seizure decision during the relevant time period.

12. I respectfully submit this Certification to aid the Court's evaluation of proportionality, reasonableness, and due-process considerations in light of the full record and the practical effects of the challenged conduct. Nothing herein is intended to waive any claims, defenses, or arguments previously asserted or to be asserted in this matter.

I certify that the foregoing statements are true. I am aware that if any statement herein is willfully false, I am subject to punishment.

Date: December 26, 2025

Respectfully submitted,

/s/ Devon Tyler Barber
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CERTIFICATION OF SERVICE

I, Devon Tyler Barber, certify that on December 27, 2025, I served a true and correct copy of the following document:

- Supplemental Certification of Devon Tyler Barber (Re: *Context, Proportionality, and Due-Process Impact*),

upon counsel for Defendants, Mr. Warren, by electronic mail to the address customarily used by counsel for service in this matter.

Service was made contemporaneously with filing through the New Jersey Judiciary Electronic Document Submission (JEDS) system, in compliance with the New Jersey Court Rules.

I certify that the foregoing statements are true. I am aware that if any statement herein is willfully false, I am subject to punishment.

Dated: December 27, 2025

/s/ Devon Tyler Barber