

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

[PROPOSED] ORDER GRANTING RELIEF

THIS MATTER having been brought before the Court by Devon Tyler Barber, a man appearing in proper person and asserting rights secured under the Constitution of New Jersey (1947) and the Constitution for the United States of America, and the Court having considered the pleadings and good cause appearing,

IT IS on this ____ day of _____, 2025, ORDERED that:

A. Dismissal with Prejudice

The Complaint filed by the New Jersey Turnpike Authority (“NJTA”) is hereby dismissed with prejudice, the Court finding that the NJTA’s claimed administrative fees and penalties exceed the statutory authority granted by the Legislature.

B. Declaration of Legal Status

The Court declares that the NJTA is a body corporate and politic created under N.J.S.A. 27:23-3, distinct and independent from the sovereign State of New Jersey, and that all of its enforcement, fee, and penalty powers arise solely from statute.

C. Limitation of Enforcement Powers

The NJTA shall conduct all toll enforcement and administrative collections strictly within the

19 bounds of N.J.S.A. 27:23-1 et seq. and applicable regulations. Any attempt to impose or collect
20 fees beyond reasonable administrative cost, or in a punitive ratio to the underlying toll, is ultra
21 vires and enjoined.

22 **D. Protection of Private, Non-Commercial Travel**

23 The Court affirms that private, non-commercial travel through NJTA facilities is a lawful activity
24 subject only to tolls authorized by law, and that such travel shall not incur punitive or excessive
25 administrative penalties.

26 **E. Public-Trust and Fiduciary Duty**

27 The NJTA's management of toll revenues and enforcement powers is subject to the public-trust
28 doctrine. Accordingly, the NJTA shall maintain transparency, fairness, and proportionality in all
29 operations and enforcement actions.

30 **F. Continuing Jurisdiction**

31 The Court retains jurisdiction to monitor compliance with this Order and to issue such further
32 declaratory or injunctive relief as may be just and proper to protect the rights of the people of
33 New Jersey and the integrity of constitutional government.

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35 **Hon. Dean R. Marcolongo, J.S.C.**
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