

1 **SUPPLEMENTAL CLARIFICATION AND DEMAND FOR DISMISSAL**

2 **FOR CONSTITUTIONAL TAINT, CRIMINAL COLLUSION, AND MALICIOUS**

3 **PROSECUTION ORIGINATING IN FRAUD**

4 **SUPERIOR COURT OF NEW JERSEY, ATLANTIC COUNTY – CRIMINAL DIVISION**

5 **DOCKET NO.: ATL-C-22-002313**

6 To the Honorable Judge:

7 This case, at its root, is **fatally poisoned**, both in fact and in law. Under binding federal and New
8 Jersey precedent, **any charges arising from an unlawful, constitutionally tainted origin must**
9 **be dismissed** where the prosecution is based on false, unvetted, or materially concealed witness
10 testimony — especially when it deprives the accused of a meaningful defense.

11 The arrest, charges, and prosecution stemmed **entirely from the statements of Joseph**
12 **Hardemon Sr.**, a man convicted under **N.J.S.A. 2C:14-2(a)(1)** for **Aggravated Sexual Assault**
13 **against a child under the age of 13** — among the gravest charges under New Jersey criminal
14 law. His criminal record was **never disclosed** to me, my counsel, or even in the presentence
15 investigation report. This constitutes a direct and material violation of **Brady v. Maryland**, 373
16 U.S. 83 (1963) and **Giglio v. United States**, 405 U.S. 150 (1972) — decisions that obligate the
17 State to disclose all impeachment and exculpatory evidence that may affect the credibility of a
18 government witness or accuser. These protections are not optional: they are **constitutional**
19 **mandates**.

20 New Jersey courts have firmly incorporated **Brady** and **Giglio** into state law through cases such
21 as **State v. Marshall**, 148 N.J. 89 (1997), and **State v. Knight**, 145 N.J. 233 (1996), holding that

22 suppression of exculpatory or impeachment evidence by the prosecution constitutes a violation
23 of due process. The failure to disclose **Mr. Hardemon's prior conviction for aggravated**
24 **sexual assault of a child** — particularly given his central and catalytic role in initiating this
25 prosecution — destroyed the integrity of the proceeding and tainted the plea process at its core.
26 This suppression deprived the defense of the opportunity to impeach a critical accuser whose
27 testimony would never have withstood fair scrutiny before a jury.

28 Because of this material omission, the plea I entered cannot be considered knowing, intelligent,
29 or voluntary under **State v. Slater**, 198 N.J. 145 (2009), and **State v. Nuñez-Valdez**, 200 N.J.
30 129 (2009). These precedents require courts to vacate a plea when:

- 31 • (1) There is a colorable claim of innocence,
32 • (2) The plea was entered under coercion or misinformation, or
33 • (3) The process was corrupted by concealed material facts.
- 34 Each of these applies in full force here.

35 Beyond the plea, the entire prosecution is void under the “**fruit of the poisonous tree**” doctrine
36 (**Wong Sun v. United States**, 371 U.S. 471 (1963)), which bars all evidence or action derived
37 from an unlawful or constitutionally defective origin. New Jersey law confirms this principle in
38 **State v. Sugar**, 100 N.J. 214 (1985), holding that any evidence causally connected to unlawful
39 conduct must be suppressed unless the taint has been purged. Here, **not only was the taint never**
40 **purged — it was deliberately hidden.**

41 **Joseph Hardemon Sr.** was not a neutral witness — he was a **convicted predator** with a
42 **retaliatory and commercial motive**, weaponizing the legal system to avoid payment and civil

43 liability after breaching a **labor and housing agreement** he never intended to honor. His
44 **manipulative and slanderous claims** — made under the cover of a **violent criminal history** —
45 were designed to discredit me, silence my lawful demands, and protect his own financial interest.
46 These lies **led law enforcement into a false arrest and unjustified charges**. His **credibility**
47 **would never have withstood open examination before a jury**. Law enforcement, acting on his
48 narrative without scrutiny, **stepped outside their lawful jurisdiction**, becoming **unwitting**
49 **agents in a personal and commercial vendetta**.

50 To allow this case to persist would be to **condone prosecutorial misconduct, reward**
51 **concealment, and place the authority of this Court in jeopardy of blessing unconstitutional**
52 **procedures**. It would also ignore the real harm done to a man who **acted in good faith**, who
53 **served his community through honest labor**, and who now seeks only to clear his name.

54 In full transparency, I also acknowledge my **former ignorance of the law**, my **naivety**, and my
55 **inability at that time to properly assert my rights**. I believed truth alone would prevail. I now
56 know that without full disclosure, without adversarial process, and without protection of my
57 **unalienable rights under Christ and Constitution**, truth can be buried.

58 I appear now not merely as the accused, but as a living man — Devon Tyler of the Paccillo
59 family — born free, not as a corporate fiction or artificial legal construct. I stand under the full
60 protection of the **First, Fourth, Fifth, Sixth, and Fourteenth Amendments to the Constitution**
61 **of the United States**, as well as **Article I, Paragraph 1 of the New Jersey Constitution**, which
62 affirms the natural right to protect one's life, liberty, property, and reputation. In full faith and
63 honor, I further invoke the **Ireland Constitution** and the **Magna Carta of 1215** as enduring
64 expressions of ancestral and inherited liberty.

65 I do not stand for vengeance, only for vindication. And I pray this honorable Court will receive
66 this with grace.

67 **Therefore, I respectfully demand that all charges be dismissed in total**, not merely for
68 procedural error, but in recognition of the **constitutional gravity of the omissions**, the
69 **fraudulent origin of the investigation**, and the **injustice inflicted by concealment and**
70 **systemic failure**.

71 Let this record reflect not only my innocence, but my intent to walk forward in truth, restored,
72 and never again silent to injustice.

73 **BY: Xd(T)bX Email; X@Tiller.Earth**
74 **All rights reserved, without prejudice**
75 **In perpetuity, ab initio nunc pro tunc, sui juris, per Dei gratia.**

76 With sincerity and faith,
77 (seal)
78 **/s/ Devon Tyler of the Paccillo family** on this May sixteenth, 2025 A.D.
79 PMB 333, 325 East Jimmie Leeds Road, Suite 7, Galloway Township, New Jersey Republic