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SUPERIOR COURT OF NEW JERSEY

LAW DIVISION, CIVIL PART

ATLANTIC COUNTY

DEVON TYLER BARBER,

Docket No.: (To Be Assigned)

PLAINTIFF,

CIVIL ACTION

v.

**ORDER TO SHOW CAUSE WITH
TEMPORARY RESTRAINTS**

**HAMILTON TOWNSHIP POLICE
DEPARTMENT, DIRKES AUTO LLC,
D/B/A DIRKES USED AUTO PARTS,
AND ANY OTHER CUSTODIANS OF THE
VEHICLE,
DEFENDANTS.**

(R. 4:52-1; R. 4:67-1)

This matter having been opened to the Court by Plaintiff, **Devon Tyler Barber, Pro Se**, seeking emergent relief pursuant to *Rule 4:52-1* and *Rule 4:67-1*, and the Court having reviewed the Verified Complaint, Certification, Brief, and Exhibits filed herewith;

IT IS on this 16th day of December, 2025,

ORDERED that Respondents **HAMILTON TOWNSHIP POLICE DEPARTMENT, DIRKES AUTO LLC**, and any current custodian of Plaintiff's 2019 Volkswagen Passat (NJ Plate F35VLP) appear and show cause on the 22nd day of December, 2025, at : 10:00 a.m./p.m. why an Order should not be entered:

1. Directing the immediate return of Plaintiff's 2019 Volkswagen Passat, NJ Plate F35VLP;
2. Declaring the impoundment and continued retention unlawful for lack of statutory authority, due process, or judicial process;
3. Ordering release without payment of towing or storage fees;

4. Compelling production of all impound-related documents, logs, and recordings;
5. Granting such other relief as the Court deems just and equitable.

TEMPORARY RESTRAINTS (GRANTED PENDING RETURN DATE)

The Court finds that Plaintiff has demonstrated **immediate and irreparable harm**, a likelihood of success on the merits, that the equities favor relief, and that relief serves the public interest (*Crowe v. De Gioia*, 90 N.J. 126 (1982)).

Accordingly, pending the return date:

1. **No additional towing or storage fees shall accrue.**
2. **The vehicle shall not be auctioned, sold, transferred, moved, or disposed of.**
3. **Plaintiff shall be granted immediate access to retrieve personal property from inside the vehicle.**
4. **Respondents shall preserve all BWC, CAD, MDT, dispatch audio, impound logs, tow sheets, GPS/AVL data, and related records.**

IT IS FURTHER ORDERED that:

- A copy of this Order, together with the supporting papers, shall be served upon Respondents no later than 12/17, 2025.
- Respondents shall file any opposition by 12/19, 2025.
- Plaintiff may file a reply by _____, 2025.

SO ORDERED.
Hon. Benjamin Podolnick, J.S.C.

BENJAMIN PODOLNICK, J.S.C.