

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

BARBER, DEVON TYLER

(Enter above the full name of the plaintiff in this action)

COMPLAINT

v.

JOSEPH HARDEMON JR.

JOSEPH HARDEMON SR.

Joel Painting and Renovations (1-1)

(Enter the full name of the defendant or defendants in this action)

Civil Action No. _____

(To be supplied by the Clerk of the Court)

OCT 21 2022

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$402.00 (a filing fee of \$350.00, and an administrative fee of \$52.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$402.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$52.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

up to judge

1b. Indicate whether you are a prisoner or other confined person as follows:

☒ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☐ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☐ Other: (please explain) _____

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): N/A

Defendant(s): _____

b. Court and docket number: _____

- c. Grounds for dismissal: () frivolous () malicious
() failure to state a claim upon which relief may be granted

d. Approximate date of filing lawsuit: _____

e. Approximate date of disposition: _____

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement: ATLANTIC COUNTY JUSTICE FACILITY

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

- a. Name of plaintiff: DEVON BARBER (TYLER)
(first) (last) (middle)

40:309 New Leaf Court, Galloway, NJ 08205
and/or

Address: 40:5060 Atlantic Ave., Mays Landing, New Jersey [08330]

Inmate #: 01-284791 / BSI # 236914

b. First defendant:

Name: JOSEPH HARDEMON (JR.)

Official position: H.I.C. in the State of New Jersey

Place of employment: JOES PAINTING AND RENOVATIONS 11

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Violated ~~our~~ contract of Tenancy which originally was 60 days live in work agreement for compensation on completed projects (i.e., painting, tile work, paint prep, cleanup, yardwork, drywall installation, etc...)

c. Second defendant:

Name: JOSEPH HARDEMON (SR.)

Official position: H.I.C. in the State of New Jersey

Place of employment: JOES PAINTING AND RENOVATIONS

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Violated work agreement with Laborer/plaintiff. ~~by dishonorable manipulation.~~ Violated due process of law removed and used plaintiff's private property without eviction notice. Cruel work environment did not pay for services and his work crew killed my family Goliath and Jumper.

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

Cruelty,
Involuntary-
Servitude,
Illegal eviction,
Lefam

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

___ Yes

☒ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

I was stuck in survival mode. I believed I filed a construction lien and serviced the Secretary of State with a negotiable instrument to transfer ownership of the property. view last blog post on/at: Divine-Tiller, Church
please www.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

I did not know how to enforce our informal work agreement. Everything is proven in our text messages. Please subpoena

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

Joe Jr. was a great friend growing up, he has hurt me before but my forgiving spirit used all as lessons. I started working with him more than three years ago and never had a problem with being paid. The only difference from now is that I was more vulnerable (without transportation). Joe spoke highly of me and asked me to move in to his renovation project that was running behind.

Corporate co-op

On or around June 9th,

He asked me to live at 1525 W. Aloe Street, EHC, New Jersey because he trusted my work ethics and ability to finish his project (his investor wanted it done ASAP). He said I would be comfortable, I would be paid per project, and that he would fix the water pump and install a hot water heater asap. I moved in with my belongings and my pets and got to work immediately. I had to do a lot so that my girlfriend wouldn't freak out when she came to see me. I outlined the work I did and served Joe with an invoice which is on proton drive for the Court to view, hyper-linked within a blog post at www.Divine-Filter.church the password to download the document is "369".

Joe SR. encouraged Joe JR. not to pay me because I was "living" at the construction site, but we had an agreement. I was fine paying rent at my parents. Joe never fixed the water pump, never turned on hot water, and he did not pay me for any of my labor or financial improvements including two air conditioning units, a lawnmower, a bench for the porch, and other things. On July 11, 2022 Joe and his crew threw all my property out of the house and killed my two pets (domestic) smashed their enclosures.

They did not pay me, they did not evict me lawfully, they damaged property and they killed two members of my immediate family.

7. Relief See Attached

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

I petition the Court to Subpoena text messages between Plaintiff and Defendants. For relief I petition the court to require Defendants and or their business entities to compensate me/plaintiff for the

(Please grant me compensation to buy a place to dwell, in peace. Or transfer 1525 W. Aloe St to plaintiff.)

labor ordered, emotional distress of living in unsafe and hostile conditions, for the murder of Goliath and Jumper, relief of the defamation of character.

I request the Court to order defendants business insurance to settle a fair claim for the lasting impact of this Civil Rights injury against my life, liberty, pursuit of happiness. I request the Court to observe the impact it has had on Kelly Tyrell and my relationship with her.

8. Do you request a jury or non-jury trial? (Check only one)

() Jury Trial () Non-Jury Trial
(I request relief from ^{injuries} injury. I leave it to the Judge.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 9TH day of OCTOBER, 2022

BARBER, DEVON (tyler)

Signature of plaintiff*

(*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF. REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).

I, Devon Tyler Barber, state and affirm the following to be true and correct to the best of my knowledge and awareness. The defendants, Joseph Hardemon Junior, Joseph Hardemon Senior, Joes Painting and Renovations, and Joes Painting and Renovations 11 are all doing business within the United States under regulation, license and insurance through the good faith of the State of New Jersey. The defendants are in violation of Federal and State Law. Defendants subjected plaintiff to unsafe work conditions through involuntary servitude, a dishonor of work agreement. Defendants agreed to pay per project fair compensation. Defendants encouraged plaintiff to "live comfortable" at the construction site to accomplish more work because they were behind on their time line. Plaintiff accomplished and completed projects ordered by defendants. Work agreement was created via textual obligation between 312-550-1338 and defendant Joseph Hardemon Juniors cell phone within the State of New Jersey on or around the beginning of the month of June, 2022. Denial of compensation is puts defendants in violation of ~~an~~ the United States Constitution Amendment 13, New Jersey State Constitution Article I Section 20, and NJ Statute 4:22-17(a)(1). Defendants created a tenancy agreement and violated plaintiff(s) right of Due Process by unlawfully