

BARBER, DEVON TYLER, **Plaintiff**, *Pro Se*  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway Township, Atlantic County, New Jersey  
(609) 862-8808 — [Tylersstead@ProtonMail.com](mailto:Tylersstead@ProtonMail.com)

DEVON TYLER BARBER,  
Plaintiff,

v.

JOHN W. TUMELTY and THE LAW  
OFFICE OF JOHN W. TUMELTY,  
Defendant(s).

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: ATLANTIC COUNTY**

DOCKET NO.: ATL-L-002794-25

Civil Action

**COVER LETTER /  
CORRESPONDENCE**

November 25, 2025

**KAUFMAN DOLOWICH LLP**

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(201) 488-6655  
Attorneys for Defendants  
John W. Tumelty, Esq. and  
The Law Office of John W. Tumelty

**VIA JEDS FILING AND COURTESY COPY**

**Honorable Sarah B. Johnson, J.S.C.**

Superior Court of New Jersey  
Law Division – Civil Part  
Atlantic County Civil Courthouse  
1201 Bacharach Boulevard  
Atlantic City, New Jersey 08401

**Re:** *Barber v. Tumelty*  
Docket No. ATL-L-002794-25

Plaintiff's Filing of Second Amended Complaint and  
Brief in Opposition to Defendants' Motion to Dismiss

Dear Judge Johnson:

Please accept this correspondence together with Plaintiff's filings submitted today via JEDS,  
consisting of:

1. **Plaintiff's Second Amended Complaint**, with Certifications and Notice of Filing;
2. **Plaintiff's Brief in Opposition** to Defendants' Motion to Dismiss pursuant to R. 4:6-2(e), with Certifications and a Proposed Form of Order; and
3. **Plaintiff's Certification of Service**, including service of Plaintiff's withdrawal of a prior settlement proposal.

The Second Amended Complaint is filed pursuant to Rule 4:9-1 and clarifies Plaintiff's claims, including the separation of conviction-dependent allegations from independent tort, contract, fiduciary-duty, and consumer-fraud causes of action. The concurrently filed Opposition Brief explains why dismissal is improper under the liberal standard governing Rule 4:6-2(e).

Plaintiff respectfully requests that the Court deny Defendants' Motion to Dismiss, or deem the motion moot in light of the Second Amended Complaint.

Thank you for your time and consideration.

Respectfully submitted,

s/ **Devon Tyler Barber**  
**DEVON TYLER BARBER**  
Plaintiff, Pro Se

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**NOTICE OF FILING:**

**SECOND AMENDED COMPLAINT**

TO: The **Honorable** Sarah B. Johnson, **J.S.C.**  
Superior Court of New Jersey, Law Division  
Atlantic County

**PLEASE TAKE NOTICE** that Plaintiff, **Devon Tyler Barber**, hereby files the attached **Second Amended Complaint** pursuant to Rule 4:9-1. This amendment is filed as of right prior to the entry of any responsive pleading and in further response to Defendants' pending ***Motion to Dismiss*** under Rule 4:6-2(e).

The **Second Amended Complaint** clarifies and amplifies Plaintiff's factual allegations, **separates conviction-dependent claims from independent claims**, and further demonstrates that **multiple tort, contract, and consumer-fraud causes of action** remain viable regardless of any *post-conviction proceedings*.

Plaintiff respectfully requests that the Court deem the pending ***Motion to Dismiss*** moot or, in the alternative, deny the *motion* for the reasons set forth in Plaintiff's concurrently filed **Brief in Opposition**.

Respectfully submitted,

s/ Devon Tyler Barber  
**DEVON TYLER BARBER**  
Plaintiff, Pro Se  
Dated: 11/25/2025

