



Judgment of Conviction

Superior Court of New Jersey, ATLANTIC County

State of New Jersey
v.

 Last Name
 BARBER

 First Name
 DEVON

 Middle Name
 T

Also Known As

 Date of Birth
 12/31/1997

 SBI Number
 542255G

 Date(s) of Offense
 07/11/2022

 Date of Arrest
 10/26/2022

 PROMIS Number
 22 002313-001

 Date Ind / Acc / Complt Filed
 10/04/2022

 Original Plea
☐ Not Guilty ☐ Guilty

Date of Original Plea

 Adjudication By ☒ Guilty Plea ☐ Jury Trial Verdict ☐ Non-Jury Trial Verdict ☐ Dismissed / Acquitted Date: 10/26/2022

☐ Sealed (N.J.S.A. 2C:52-5.2)

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
22-10-01440-I	1	TERRORISTIC THREATS-THREAT TO COMMIT CRIME OF VIOLENCE	2C:12-3A	3

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
22-10-01440-I	1	TERRORISTIC THREATS-THREAT TO COMMIT CRIME OF VIOLENCE	2C:12-3A	3

Sentencing Statement

 It is, therefore, on 01/04/2023 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

COUNT 1: DEFENDANT IS SENTENCED TO 3 YEARS PROBATION CONCURRENT TO IND. #22-09-1413.

ATTEND ANGER MANAGEMENT.

ATTEND TASC AND MENTAL HEALTH EVALUATION AND FOLLOW ALL RECOMMENDATIONS.

NO CONTACT WITH THE VICTIM.

WAIVES RIGHT TO APPEAL.

ALL REMAINING COUNTS/CHARGES TO BE DISMISSED.

☐ It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

 Total Custodial Term
 000 Years 00 Months 000 Days

Institution Name

 Total Probation Term
 03 Years 00 Months

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S.B.I. # 542255G Ind / Acc / Compl # 22-10-01440-I

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)		Additional Conditions																																																		
<p>A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)</p> <p><input type="checkbox"/> DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))</p> <table style="width:100%; border-collapse: collapse;"> <tr> <th style="width: 30%;"></th> <th style="width: 20%; text-align: center;">Standard</th> <th style="width: 10%; text-align: center;">@</th> <th style="width: 10%; text-align: center;">\$</th> <th style="width: 20%; text-align: center;">Doubled</th> <th style="width: 10%; text-align: center;">@</th> <th style="width: 10%; text-align: center;">\$</th> </tr> <tr> <td>1st Degree</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2nd Degree</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3rd Degree</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>4th Degree</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>DP or</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Petty DP</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p style="text-align: right;">Total DEDR Penalty \$ _____</p> <p><input type="checkbox"/> The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)</p>			Standard	@	\$	Doubled	@	\$	1st Degree							2nd Degree							3rd Degree							4th Degree							DP or							Petty DP							<p><input checked="" type="checkbox"/> The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29).</p> <p><input type="checkbox"/> The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4).</p> <p><input type="checkbox"/> The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4).</p> <p><input type="checkbox"/> The defendant is hereby ordered to serve a _____ year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (N.J.S.A. 2C:43-7.2).</p> <p><input type="checkbox"/> The court imposes a Drug Offender Restraining Order (DORO) (N.J.S.A. 2C:35-5.7h). DORO expires _____</p> <p><input type="checkbox"/> The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8).</p> <p><input type="checkbox"/> The court imposes a Stalking Restraining Order (N.J.S.A. 2C:12-10.1).</p> <p><input type="checkbox"/> The defendant is prohibited from purchasing, owning, possessing, or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun (N.J.S.A. 2C:25-27c(1)).</p>	
	Standard	@	\$	Doubled	@	\$																																														
1st Degree																																																				
2nd Degree																																																				
3rd Degree																																																				
4th Degree																																																				
DP or																																																				
Petty DP																																																				
<p>Forensic Laboratory Fee (N.J.S.A. 2C:35-20) _____</p> <p>Offenses @ \$ _____</p>		<p>Total Lab Fee \$ _____</p>																																																		
VCCO Assessment (N.J.S.A. 2C:43-3.1)																																																				
Counts	Number	@	Amount																																																	
1	1	@	\$ 50.00																																																	
		@	\$ _____																																																	
		@	\$ _____																																																	
		@	\$ _____																																																	
Total VCCO Assessment \$ 50.00																																																				
Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)																																																				
Offense		Mandatory Penalty \$ _____																																																		
Offense Based Penalties																																																				
Penalty		Amount \$ _____																																																		
Other Fees and Penalties																																																				
<p>Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3)</p> <p><input type="checkbox"/> \$ _____</p>		<p>Safe Neighborhoods Services Fund Assessment (N.J.S.A. 2C:43-3.2)</p> <p><input checked="" type="checkbox"/> 1 Offenses @ \$ 75.00</p> <p style="text-align: right;">Total: \$ 75.00</p>																																																		
<p>Probation Supervision Fee (N.J.S.A. 2C:45-1d)</p> <p><input type="checkbox"/> \$ _____</p>		<p>Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6)</p> <p><input type="checkbox"/> _____ Offenses @ \$ _____</p> <p style="text-align: right;">Total \$ _____</p>																																																		
<p>Transaction Fee (N.J.S.A. 2C:46-1.1)</p> <p><input type="checkbox"/> _____</p>																																																				
<p>Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4)</p> <p><input type="checkbox"/> \$ _____</p>		<p>Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7)</p> <p><input type="checkbox"/> \$ _____</p>																																																		
<p>Fine \$ _____</p>		<p>Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10)</p> <p><input type="checkbox"/> \$ _____</p>																																																		
<p>Restitution Joint & Several \$ _____ <input type="checkbox"/></p>		<p>Total Financial Obligation \$ 125.00</p>																																																		
<p><input type="checkbox"/> Entry of Civil Judgment for court-ordered financial assessment (N.J.S.A. 2C:52-5.2)</p>																																																				
<p>Details</p> <p>ALL MONIES PAYABLE THROUGH PROBATION. CREDIT ANY MONIES PREVIOUSLY PAID.</p>																																																				
Findings Per N.J.S.A. 2C:47-3																																																				
<p><input type="checkbox"/> The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.</p> <p><input type="checkbox"/> The court finds that the defendant is amenable to sex offender treatment.</p> <p><input type="checkbox"/> The court finds that the defendant is willing to participate in sex offender treatment.</p>																																																				
License Suspension																																																				
<p><input type="checkbox"/> CDS / Paraphernalia (N.J.S.A. 2C:35-16) <input type="checkbox"/> Waived</p> <p><input type="checkbox"/> Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1)</p> <p><input type="checkbox"/> Eluding (N.J.S.A. 2C:29-2)</p> <p><input type="checkbox"/> Other _____</p>																																																				
Number of Months		<input type="checkbox"/> Non-resident driving privileges revoked																																																		
Start Date		End Date																																																		
Details																																																				
Driver's License Number		Jurisdiction																																																		
<p>If the court is unable to collect the license, complete the following:</p> <p>Defendant's Address _____</p>																																																				
City		State	Zip																																																	
Date of Birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Eye Color																																																		

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Continuation

STATEMENT OF REASONS (Cont.)

defendant was under 26 years of age at the time of the commission of the offense. The court finds that in balancing the factors, given not just their number but their quality and also their nature, the aggravating factors clearly and outweigh the mitigating factors.

This was a negotiated plea between the State and the defendant. Thus, there is a presumption of reasonableness. The sentence recommendation contained in the plea agreement is appropriate under the facts and circumstances of this case and it will be followed.