



Nihilo nisi cruce

NOTICE OF MOTION FOR POST-CONVICTION RELIEF

SUPERIOR COURT OF NEW JERSEY · LAW DIVISION – CRIMINAL PART · ATLANTIC COUNTY

Docket Nos. ATL-22-0002313-001 ATL-22-002292-001

State of New Jersey,
Plaintiff,

v.

Devon Tyler Barber, also known as Devon Tyler of the Paccillo family, Trustee, Faith Frontier Ecclesiastical Trust (in proper person, sui juris),
Defendant.

NOTICE OF MOTION (Rule 3:22-1 et seq.)

PLEASE TAKE NOTICE that on the first available motion day, the undersigned—appearing in his private ecclesiastical-trust capacity and not as a corporate person—will move this Court for **Post-Conviction Relief** vacating the guilty plea entered **26 October 2022** (administratively docketed 4 January 2023) and all resulting judgments in the above matters, on the following constitutional and equitable grounds:

1. Ineffective Assistance of Counsel

Strickland v. Washington, 466 U.S. 668 (1984); *State v. Fritz*, 105 N.J. 42 (1987).

2. Suppression of Brady/Giglio Evidence

Nondisclosure of chief complainant **Joseph Hardemon Sr.’s prior conviction for**

aggravated sexual assault of a child < 13; *Brady v. Maryland*, 373 U.S. 83 (1963); *Kyles v.*

Whitley, 514 U.S. 419 (1995); *State v. Carter*, 91 N.J. 86 (1982).

3. Involuntary & Coerced Plea

Boykin v. Alabama, 395 U.S. 238 (1969); *State v. Slater*, 198 N.J. 145 (2009).

4. Labor-Law Fraud & Wage Theft Provocation

Violations of **N.J.S.A. 34:11-4.2, N.J.A.C. 13:45A-16.2**; see *Carpenters v. NJDOL*, 147 N.J. 171 (1996).

5. Conflict of Interest / Police Influence

Stepfather's command position tainting neutrality; *Caperton v. Massey*, 556 U.S. 868 (2009).

6. Newly-Discovered Evidence & Actual Innocence

State v. Russo, 333 N.J. Super. 119 (App. Div. 2000).

This motion is supported by the accompanying: **(1) Proposed Order, (2) Certification & Affidavit, (3) Brief in Support, and (4) Proof of Service.**

Executed this 16th day of June, A.D. 2025

/s/ Devon Tyler for **DEVON T. BARBER**
Devon Tyler Paccillo, Attorney in Fact

(seal)

In Proper Person, sui juris, not pro se
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Barber

