



# 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*

Trustee, Faith Frontier Ecclesiastical Trust

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