

**DEVON TYLER BARBER,**  
Defendant, Pro Se  
3536 Pacific Avenue, Apt. A5  
Atlantic City, New Jersey 08401  
Telephone: (609) 862-8808  
Email: [dTb33@PM.Me](mailto:dTb33@PM.Me)

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

STATE OF NEW JERSEY,  
Plaintiff,

v.

DEVON TYLER BARBER,  
Defendant.

Docket Nos.: **ATL-22-002292** and **ATL-22-002313**

(Unified Guilty Plea / Unified PCR)

**NOTICE OF MOTION TO COMPEL  
ADMINISTRATIVE CONSOLIDATION,**

**ASSIGNMENT OF PCR JUDGE, AND  
ISSUANCE OF SCHEDULING ORDER**

**PLEASE TAKE NOTICE** that on a date to be determined by the Court, or as soon thereafter as counsel may be heard, the undersigned Defendant, appearing pro se, will move before the Superior Court of New Jersey, Law Division – Criminal Part, Atlantic County, for an Order:

1. Administratively consolidating all Post-Conviction Relief (“PCR”) filings relating to Docket Nos. ATL-22-002292 and ATL-22-002313 into a single PCR proceeding;
2. Assigning a Criminal Part judge to the pending PCR filed pursuant to Rule 3:22;
3. Issuing a scheduling order establishing deadlines for the State’s response and further proceedings; and
4. Granting such other and further relief as the Court deems just and equitable.

**GROUND FOR THE MOTION**

In support of this motion, Defendant relies upon the accompanying Motion to Compel Assignment, Consolidation, and Scheduling of PCR; the Certification of Devon Tyler Barber; the attached exhibits; and such oral argument as the Court may permit.

Respectfully submitted,

/s/ Devon Tyler Barber  
**DEVON TYLER BARBER**  
Defendant / Petitioner Pro Se

Dated: 12/17/2025

**DEVON TYLER BARBER,**  
Defendant, Pro Se  
3536 Pacific Avenue, Apt. A5  
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**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – CRIMINAL PART  
ATLANTIC COUNTY**

STATE OF NEW JERSEY,  
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v.

DEVON TYLER BARBER,  
Defendant.

Docket Nos.: **ATL-22-002292** and **ATL-22-002313**

(Unified Guilty Plea / Unified PCR)

**MOTION TO COMPEL ASSIGNMENT,  
CONSOLIDATION, AND SCHEDULING OF  
PCR**

*(Integrated EF history, unified plea, both indictments)*

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## **PRELIMINARY STATEMENT**

This motion seeks limited administrative relief to permit adjudication of a previously filed Petition for Post-Conviction Relief. Defendant filed a unified PCR under Rule 3:22 challenging the validity of a coerced guilty plea entered under **Docket Nos. ATL-22-002292 and ATL-22-002313**. Despite repeated PCR-designated filings accepted through JEDS over several months, the matter has never been administratively consolidated, assigned to a Criminal Part judge, or scheduled. As a result, Defendant remains without a forum to litigate substantial constitutional claims.

## **PROCEDURAL HISTORY**

1. Defendant entered a unified guilty plea resolving Docket Nos. **ATL-22-002292 and ATL-22-002313** arising from the same criminal proceeding.

2. Beginning in **May 2025**, and continuing through **December 2025**, Defendant—appearing pro se—filed multiple submissions through JEDS under the **Post-Conviction Relief** category in both dockets. These filings were consistently accepted by the Criminal Part and docketed accordingly.
3. Those submissions were not separate or successive PCR petitions, but a series of **good-faith, unified filings** relating to the same coerced plea, ineffective assistance of counsel, conflicts of interest, and due-process violations. The multiple JEDS entry numbers reflect administrative uploads by an unrepresented litigant seeking to preserve the record and invoke Rule 3:22 jurisdiction.
4. On **October 26, 2025**, Defendant filed a **Verified Petition for Post-Conviction Relief pursuant to Rule 3:22-1 et seq.**, supported by certifications, exhibits, and a memorandum of law, under **both dockets**.
5. In parallel, Defendant sought to supplement the appellate record with extra-record factual material. By Orders dated **December 9, 2025**, the Appellate Division denied those motions without reaching the merits, consistent with settled law that factual development must occur through PCR proceedings rather than direct appeal.
6. Despite these procedural developments—and despite sustained PCR-designated activity reflected in JEDS—no Criminal Part judge has been assigned, no consolidation has occurred, and no scheduling order has issued.

## LEGAL BASIS

- **Rule 3:22-1** guarantees a defendant the right to seek post-conviction relief for constitutional violations.
- **Rule 3:22-10(b)** contemplates evidentiary hearings where material facts lie outside the trial record.

- **Rule 1:1-2** authorizes relaxation of procedural rules to prevent injustice.
- **State v. Preciose**, 129 N.J. 451 (1992), requires meaningful consideration of PCR claims supported by sworn allegations.

Administrative inaction that prevents assignment and scheduling frustrates these protections and effectively nullifies the PCR process.

## **RELIEF REQUESTED**

Defendant respectfully requests that the Court enter an Order:

1. **Administratively consolidating** all PCR-designated filings under Docket Nos. **ATL-22-002292 and ATL-22-002313** into a single PCR proceeding;
2. **Assigning a Criminal Part judge** to the pending PCR;
3. **Issuing a scheduling order**, including a deadline for the State's response; and
4. Granting such other relief as justice requires.

Respectfully submitted,

/s/ Devon Tyler Barber

DEVON TYLER BARBER, Appearing Pro Se

**DEVON TYLER BARBER,**  
Defendant, Pro Se  
3536 Pacific Avenue, Apt. A5  
Atlantic City, New Jersey 08401  
Telephone: (609) 862-8808  
Email: [dTb33@PM.Me](mailto:dTb33@PM.Me)

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

STATE OF NEW JERSEY,  
Plaintiff,  
v.  
DEVON TYLER BARBER,  
Defendant.

Docket Nos.: **ATL-22-002292** and **ATL-22-002313**  
(Unified Guilty Plea / Unified PCR)

**CERTIFICATION**

I, **Devon Tyler Barber**, of full age, hereby certify and state as follows:

1. I submit this Certification solely to clarify the procedural posture of my pending **Post-Conviction Relief (“PCR”) proceedings** and to harmonize the record for administrative purposes.
2. The above-captioned matters arise from a **single, unified guilty plea** resolving **Docket Nos. ATL-22-002292 and ATL-22-002313**. All PCR-related filings submitted by me relate to that same plea and the same asserted constitutional defects.
3. The **operative and controlling PCR** is the **Verified Petition for Post-Conviction Relief filed on October 26, 2025**, pursuant to **Rule 3:22-1 et seq.**, together with its supporting certifications and exhibits.
4. Any earlier or subsequent PCR-designated filings appearing in JEDS—including record-preservation submissions, notices, and certifications—were **not separate or successive**

**petitions**, but were submitted in good faith to supplement, preserve, or clarify the record while I was unrepresented.

5. On October 29, 2025, I filed a notice referencing the pendency of direct appeals and requesting that the PCR be held in abeyance pursuant to **Rule 3:22-3**. That request reflected the procedural posture at the time and was made to avoid jurisdictional conflict.
6. Since that filing, the **Appellate Division has entered Orders dated December 9, 2025**, denying motions to supplement or expand the appellate record without reaching the merits. Those procedural denials confirm that **factual development must occur, if at all, through PCR proceedings**.
7. In light of the Appellate Division's orders, the prior request for abeyance is **procedurally superseded**, and the pending PCR now requires **administrative consolidation, judicial assignment, and scheduling** so that it may be adjudicated in accordance with **Rule 3:22**.
8. This Certification is submitted **only for procedural clarification** and does not seek merits relief, amendment of the PCR, or adjudication of substantive claims at this stage.
9. The exhibits submitted with the accompanying motion are offered solely to demonstrate **procedural history, diligence, and appellate posture**, and not to relitigate the merits of the PCR.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

/s/ Devon Tyler Barber  
DEVON TYLER BARBER  
Defendant / Petitioner Pro Se

Dated: 12/17/2025

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

STATE OF NEW JERSEY,  
Plaintiff,

v.

DEVON TYLER BARBER,  
Defendant.

Docket Nos.: **ATL-22-002292** and **ATL-22-002313**

(Unified Guilty Plea / Unified PCR)

**CERTIFICATION OF**  
**DEVON TYLER BARBER**

IN SUPPORT OF MOTION TO COMPEL  
ADMINISTRATIVE CONSOLIDATION,  
ASSIGNMENT, AND SCHEDULING OF PCR

**CERTIFICATION**

I, **Devon Tyler Barber**, of full age, hereby certify and state as follows:

1. I am the Defendant in the above-captioned matters, appearing **pro se**, and I submit this Certification in support of my **Motion to Compel Administrative Consolidation, Assignment of a PCR Judge, and Issuance of a Scheduling Order**.
2. This motion concerns a **single, unified Petition for Post-Conviction Relief** arising from the same coerced guilty plea and constitutional defects under **Docket Nos. ATL-22-002292 and ATL-22-002313**, which were resolved together in the same criminal proceeding.
3. On or about **October 26, 2025**, I filed a **Verified Petition for Post-Conviction Relief pursuant to Rule 3:22-1 et seq.**, supported by sworn certifications, exhibits, and a

memorandum of law, challenging the validity of that unified guilty plea based on ineffective assistance of counsel, coercion, conflicts of interest, lack of investigation, and related due-process violations.

4. The PCR was accepted for filing through the Judiciary Electronic Document Submission (JEDS) system under **both dockets**. The filing was intended to invoke the Criminal Part's jurisdiction under Rule 3:22 and to initiate a single, continuous PCR proceeding addressing both indictments together.
5. Before and after October 26, 2025, I also submitted additional filings through JEDS under the **Post-Conviction Relief** category in both dockets. Those submissions were made in **good faith** while unrepresented and were not separate or successive PCR petitions, but rather related submissions intended to preserve the record, supplement factual assertions, and perfect the same pending PCR proceeding.
6. Despite the volume of PCR-designated filings reflected in JEDS across both dockets, **no Criminal Part judge has been assigned, no administrative consolidation has occurred, and no scheduling order has issued** to date.
7. In parallel with my PCR efforts, I sought to supplement the appellate record with extra-record factual material. By Orders dated **December 9, 2025**, the Appellate Division denied those motions without reaching the merits, consistent with settled New Jersey law that factual development must occur through post-conviction relief proceedings rather than on direct appeal.
8. As a result, the pending PCR is the **only appropriate forum** for adjudicating the constitutional claims raised. Without judicial assignment and scheduling, however, I remain unable to obtain review of those claims.

9. This Certification is submitted solely to request **administrative action**—consolidation, assignment, and scheduling—so that the previously filed PCR may be adjudicated in accordance with Rule 3:22. I do not seek merits relief through this motion.
10. The exhibits attached to the accompanying motion are true copies of records reflected in JEDS and court orders previously entered in my case.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

/s/ Devon Tyler Barber  
DEVON TYLER BARBER  
Defendant / Petitioner Pro Se

Dated: 12/17/2025

**DEVON TYLER BARBER,**  
Defendant, Pro Se  
3536 Pacific Avenue, Apt. A5  
Atlantic City, New Jersey 08401  
Telephone: (609) 862-8808  
Email: [dTb33@PM.Me](mailto:dTb33@PM.Me)

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

STATE OF NEW JERSEY,  
Plaintiff,  
v.  
DEVON TYLER BARBER,  
Defendant.

Docket Nos.: **ATL-22-002292** and **ATL-22-002313**  
(Unified Guilty Plea / Unified PCR)

**EXHIBIT A**

ATL-22-002292 10/26/2025 06:17:33 PM Pg 3 of 98 Trans ID: CRM20251315882

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – CRIMINAL PART, ATLANTIC COUNTY**  
STATE OF NEW JERSEY,  
Plaintiff,  
v.  
DEVON TYLER BARBER,  
Defendant.

Docket Nos.: ATL-22-002292 / ATL-22-002313  
PCR: To Be Assigned  
Judge: To Be Assigned

**PETITION FOR POST-CONVICTION RELIEF**

*(R. 3:22-1; R. 3:22-2; R. 3:22-10)*

Defendant, Devon Tyler Barber, appearing *pro se*, respectfully petitions this Court for Post Conviction Relief and states:

**I. PROCEDURAL HISTORY**

1. I was charged in connection with events alleged to have occurred on or about **July 11, 2022**, at **1525 W. Aloe Street, Galloway Township, Atlantic County, New Jersey**.
2. I ultimately entered **guilty pleas** and was convicted under **Docket Nos. ATL-22-002292** and **ATL-22-002313**, corresponding to **Indictment Nos. 22-09-01413-I** and **22-10-01440-I**.
3. On **January 4, 2023**, the Hon. **Pamela D'Arcy, J.S.C.**, imposed **concurrent three-year probationary terms** with conditions of **mental-health and TASC evaluation, anger-management counseling, and no contact with the complainants**.



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 Defendant, Pro Se  
 3536 Pacific Avenue, Apt. A5  
 Atlantic City, New Jersey 08401  
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 Email: [dTb33@PM.Me](mailto:dTb33@PM.Me)

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

STATE OF NEW JERSEY,  
 Plaintiff,

v.

DEVON TYLER BARBER,

Defendant.

Docket Nos.: **ATL-22-002292** and **ATL-22-002313**

(Unified Guilty Plea / Unified PCR)

**EXHIBIT B — RECORD-PRESERVATION  
 FILINGS**

ATL-22-002292 10/27/2025 11:01:51 AM Pg 1 of 3 Trans ID: CRM20251317749

|             |   |  |
|-------------|---|--|
| 1           | <b>Devon T. Barber</b><br>Devon Tyler Barber – Pro Se Appellant<br>325 E. Jimmie Leeds Rd., Suite 7-333<br>Galloway, NJ 08205<br>(609) 665-9350   <a href="mailto:DTB33@ProtonMail.com">DTB33@ProtonMail.com</a>  |  |
| 6           | SUPERIOR COURT OF NEW JERSEY  |  |
| 7           | LAW DIVISION – CRIMINAL PART (ATLANTIC COUNTY)  |  |
| 8           | STATE OF NEW JERSEY,<br>Plaintiff   | Indictment Nos. 22-09-01413-I / 22-10-01440-I<br>Docket Nos. ATL-22-002292 & ATL-22-002313 |
| 9           | v.<br><b>DEVON T. BARBER,</b><br>Defendant.   | Pleading Title   |
| 10          | <b>CERTIFICATION OF SUPPLEMENTAL RECORD AND REQUEST FOR<br/>   TRANSMITTAL TO THE APPELLATE DIVISION (R. 2:5-5(c); R. 3:22-10(b))</b>   |  |
| 11          | I, Devon Tyler Barber, of full age, hereby certify and state:   |  |
| 12          | (A) On October 26, 2025, I filed a verified <b>Petition for Post-Conviction Relief</b> ("PCR<br><b>Petition</b> ") in the above-captioned matters, together with supporting <b>Exhibits A–M</b> ,<br>establishing the factual, procedural, and constitutional context of my 2022 convictions. |  |
| 13          | (B) The PCR Petition and its <b>Exhibits A–M</b> include verified government and court records and<br>contemporaneous employment records, including but not limited to:   |  |
| 14          | (a) New Jersey Department of Labor <b>Wage Complaint No. 369572</b> ;   |  |
| 15          | (b) 2022 employment and payroll documentation, including pay stubs and W-2 wage records<br>from legitimate employers such as <i>The Palm Atlantic City</i> and <i>PF Chang's</i> ;  |  |
| PAGE 1 OF 3 |   |  |

ATL-22-002292 10/27/2025 11:01:51 AM Pg 2 of 3 Trans ID: CRM20251317749

20 (c) a supervisor / management character and performance letter confirming that I was  
21 reliable, paid for my work, and praised for work ethic, reliability, and conduct;  
22 (d) Tillerstead LLC status and contractor licensure verification; and  
23 (e) other public-record and agency records.

24 (C) These materials show that the July 2022 charges arose from a civil wage/retaliation dispute,  
25 not from criminal predation or violent intent, and that exculpatory and mitigating information  
26 about my work history, character, and earning capacity was not presented to the court.

27 (D) These materials are now part of the Law Division record pursuant to **R. 3:22-10(b)**, which  
28 permits factual development of (i) ineffective assistance of counsel, (ii) coercion in the entry  
29 of plea, and (iii) suppression or omission of exculpatory and mitigating evidence that would  
30 have directly affected the plea and sentencing analysis.

31 (E) Accordingly, I respectfully request that the **Clerk of the Superior Court, Law Division –**  
32 **Criminal Part (Atlantic County)** certify the October 26, 2025 PCR Petition and Exhibits  
33 A–M, and **transmit a certified copy** to the **Superior Court of New Jersey, Appellate**  
34 **Division**, for inclusion in **Appellate Docket Nos. A-000308-25 and A-000313-25**, pursuant  
35 to **R. 2:5-5(c)**.

36 (F) This request seeks only transmittal and certification of materials already filed of record. It  
37 does not seek civil damages or personal liability against any prosecutor, officer, or agency.  
38 The relief sought is limited to ensuring that the Appellate Division has a complete and  
39 accurate record for review, consistent with *State v. Preciose*, 129 N.J. 451 (1992), and  
40 *Strickland v. Washington*, 466 U.S. 668 (1984).

PAGE 2 OF 3

ATL-22-002292 10/27/2025 11:01:51 AM Pg 3 of 3 Trans ID: CRM20251317749

41 I certify that the foregoing statements made by me are true. I am aware that if any of the  
42 foregoing statements are willfully false, I am subject to punishment.

43 Respectfully submitted,

44 **/s/ Devon Tyler Barber**  
45 **Devon Tyler Barber – Defendant / Petitioner Pro Se**  
46 325 E. Jimmie Leeds Road, Suite 7-333  
47 Galloway, NJ 08205  
48 (609) 665-9350 | [DTB33@ProtonMail.com](mailto:DTB33@ProtonMail.com)

49 Dated: October 27<sup>th</sup>, 2025

50 **ATTACHMENTS (identified for transmittal):**

51 1. Petition for Post-Conviction Relief filed October 26, 2025, with Exhibits A–M.  
52 2. Motion to Supplement / Expand the Record (Appellate Div. Docket No. A-000308-25,  
53 filed October 20, 2025).

54 **SERVICE / NOTICE**

55 A true copy of this Certification has been provided to:

56 • Appellate Division Clerk's Office – [appeal-trans.mailbox@njcourts.gov](mailto:appeal-trans.mailbox@njcourts.gov)  
57 • Court Services Officer Allison Bach – [Allison.Bach@njcourts.gov](mailto:Allison.Bach@njcourts.gov)  
58 • Atlantic County Prosecutor's Office – [publicinformation@acpo.org](mailto:publicinformation@acpo.org)  
59 • NJ Attorney General (DCJ Appellate Bureau) – [DCJIntegrity@njoag.gov](mailto:DCJIntegrity@njoag.gov)

ATL-22-002292 10/29/2025 07:30:56 AM Pg 1 of 6 Trans ID: CRM20251329579

**Devon T. Barber**

Devon Tyler Barber – *Pro Se Defendant and Petitioner*  
325 E. Jimmie Leeds Road, Suite 7-333  
Galloway, NJ 08205  
(609) 665-9350 | [Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

**SUPERIOR COURT OF NEW JERSEY**

**LAW DIVISION – CRIMINAL PART**

**ATLANTIC COUNTY**

**STATE OF NEW JERSEY,**

Plaintiff,

v.

**DEVON T. BARBER,**

Defendant.

**Indictment Nos. 22-09-01413-I / 22-10-01440-I**

**Docket Nos. ATL-22-002292 & ATL-22-002313**

**NOTICE OF PENDENCY OF  
DIRECT APPEAL AND REQUEST  
TO HOLD PCR IN ABEYANCE**

**To:** The Honorable Presiding Judge, Criminal Division, Atlantic County

**And to:** Atlantic County Prosecutor's Office

**NOTICE**

PLEASE TAKE NOTICE that Defendant **Devon Tyler Barber**, appearing *pro se*, respectfully notifies this Court that direct appeals are presently pending in the **Superior Court of New Jersey, Appellate Division**, under Docket Nos. **A-000308-25** and **A-000313-25**, arising from the above-captioned criminal indictments.

These appeals challenge the judgments of conviction entered in matters **ATL-22-002292** and **ATL-22-002313**, and thus divest this Court of jurisdiction over those judgments pending

ATL-22-002292 10/29/2025 07:30:56 AM Pg 2 of 6 Trans ID: CRM20251329579

appellate review. See *R. 3:22-3* (prohibiting adjudication of a post-conviction-relief petition during the pendency of a direct appeal).

The pending appeals include **Appellate Division Docket No. A-000308-25**, arising from **Indictment Nos. 22-09-01413-I** and **22-10-01440-I**, and **Appellate Division Docket No. A-000313-25**, concerning a subsequent 2024 prosecution involving **Officer Stephen Boyd** and other Atlantic County personnel (**Docket No. ATL-24-001934**). Those later proceedings are factually interrelated with the earlier matters now under appellate review and form part of a continuing sequence of events alleged by Defendant to involve retaliatory escalation and related civil-rights concerns.

Defendant has also filed companion civil actions:

- *Barber v. Boyd et al.*, Civ. No. 1:25-cv-15641 (D.N.J. filed Sept. 15, 2025) (pending before Chief Judge Renée Marie Bumb and Magistrate Judge Matthew J. Skahill);
- *Barber v. Hardemon et al.*, Civ. No. 1:22-cv-06206 (D.N.J. filed Oct. 21, 2022; motion to reopen pending Sept. 2025); and
- *Barber v. Tumelty et al.*, ATL-L-002794-25 (N.J. Super. Ct. Law Div. filed Oct. 3, 2025).

Each arises from substantially overlapping factual circumstances involving employment, prosecution, and collateral proceedings. Defendant therefore seeks to maintain a unified procedural record across the state and federal forums so that, upon issuance of the Appellate Division's **remittitur**, this Court will have the full contextual history necessary to conduct meaningful post-conviction review.

#### **REQUEST FOR PROCEDURAL CLARITY AND ADMINISTRATIVE HOLD**

ATL-22-002292 10/29/2025 07:30:56 AM Pg 3 of 6 Trans ID: CRM20251329579

In light of the pending appeals, Defendant respectfully requests that the Court hold the post-conviction-relief petition in abeyance until the Appellate Division issues its remittitur, formally returning jurisdiction to the Law Division. Upon receipt of the remittitur, Defendant will promptly move under *R. 3:22-10(b)* for an evidentiary hearing based upon the verified **Post-Conviction-Relief Petition filed October 26, 2025**, together with Exhibits A through M.

On **October 27, 2025**, Defendant also filed a **Certification of Supplemental Record and Request for Transmittal** (EF-3721525), requesting certification and forwarding of the October 26, 2025 PCR Petition and its Exhibits A–M to the Appellate Division pursuant to *R. 2:5-5(c)* and *R. 3:22-10(b)*. That submission sought no new relief but ensured that the complete verified petition and supporting record were transmitted for inclusion in Appellate Docket Nos. A-000308-25 and A-000313-25. This filing underscores Defendant's good-faith effort to maintain a unified and accurate record across the trial and appellate courts.

Defendant further notes that, despite retaining prior counsel at substantial personal expense, counsel failed to pursue basic pretrial protections, including an application for a detention hearing under *R. 3:4A-1* to -9 or any motion addressing probable cause, discovery disclosure, or bail review. Counsel's sole substantive act was to appear for the purpose of entering a negotiated guilty plea, without conducting an independent investigation or ensuring Defendant's informed and voluntary consent as required by *R. 3:9-2*. See *State v. Slater*, 198 N.J. 145, 155 (2009); *State v. Bellamy*, 178 N.J. 127, 135 (2003).

Lacking effective representation, Defendant was compelled to prepare, assemble, and certify much of the procedural record personally—including the verified Post-Conviction-Relief Petition filed October 26, 2025, and the Certification of Supplemental Record and Request for Transmittal filed October 27, 2025 (EF-3721525)—to preserve the evidentiary foundation that

ATL-22-002292 10/29/2025 07:30:56 AM Pg 4 of 6 Trans ID: CRM20251329579

prior counsel failed to create. Those submissions, transmitted pursuant to *R. 2:5-5(c)* and *R. 3:22-10(b)*, document the constitutional deficiencies in counsel's performance and the resulting denial of meaningful due process. See *Strickland v. Washington*, 466 U.S. 668 (1984); *State v. Preciose*, 129 N.J. 451 (1992). Defendant therefore requests that the Court take judicial notice of those filings as part of the unified record held in abeyance pending completion of the direct appeals.

This request is made solely to preserve jurisdictional integrity, ensure continuity of the record between the Law Division and the Appellate Division, and avoid any inadvertent procedural dismissal or duplication of effort. Holding the matter in abeyance will promote judicial economy and safeguard Defendant's statutory and constitutional rights to full collateral review once appellate proceedings conclude.

### **CONCLUSION**

For the foregoing reasons, Defendant respectfully prays that this Court:

1. Acknowledge the pendency of the direct appeals under *R. 3:22-3*;
2. Direct that the PCR petition remain docketed but inactive ("in abeyance") pending issuance of the remittitur; and
3. Take any additional administrative steps necessary to ensure that the PCR file and related exhibits remain preserved and available for immediate activation upon conclusion of appellate proceedings.

**Respectfully submitted,**

Date: October 29<sup>th</sup>, 2025

/s/ **Devon T. Barber**

**DEVON TYLER BARBER**

Barber, Devon Tyler — *Pro Se Defendant and Petitioner*  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, New Jersey 08205  
(609) 665-9350 | [Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

ATL-22-002292 10/29/2025 07:30:56 AM Pg 5 of 6 Trans ID: CRM20251329579

**SUPERIOR COURT OF NEW JERSEY**

**LAW DIVISION – CRIMINAL PART**

**ATLANTIC COUNTY**

**STATE OF NEW JERSEY,**

Plaintiff,

v.

**DEVON T. BARBER,**

Defendant.

**Indictment Nos. 22-09-01413-I / 22-10-01440-I**

**Docket Nos. ATL-22-002292 & ATL-22-002313**

**CERTIFICATION OF SUPERSEDING PCR**

**PETITION** (*October 26, 2025 – referencing*

*prior May 4, 2025 filing*)

**Certification Pursuant to R. 1:4-4(b) and 28 U.S.C. § 1746**

I, Devon Tyler Barber, of full age, hereby **certify, state, and affirm under penalty of perjury** that the foregoing statements made by me are **true and correct** to the best of my knowledge, information, and belief.

1. On May 4, 2025, I filed a *pro se* petition for post-conviction relief in these matters (**ATL-22-002292 / ATL-22-002313**). That initial filing was submitted under significant hardship and did not fully articulate my factual and constitutional claims.
2. On October 26, 2025, I filed a comprehensive, verified Post-Conviction Relief Petition (98 pages, with Exhibits A through M) entitled *Barber Post-Conviction Relief Petition October 2025.pdf*, which corrected formatting deficiencies and consolidated all prior arguments and supporting evidence.

ATL-22-002292 10/29/2025 07:30:56 AM Pg 6 of 6 Trans ID: CRM20251329579

3. On October 27, 2025, I filed a related **Certification of Supplemental Record and Request for Transmittal** (EF-3721525), seeking formal certification and transmission of the October 26 PCR Petition to the Appellate Division under *R. 2:5-5(c)* and *R. 3:22-10(b)*. That filing was intended to ensure a complete record for both Appellate Division Docket Nos. A-000308-25 and A-000313-25.
4. I respectfully request that the Court deem the October 26, 2025 petition to supersede and replace the earlier May 4, 2025 submission and that all future action be taken with reference to the later, verified petition.
5. This Certification is submitted in good faith to clarify the procedural record and preserve the integrity of the pending PCR proceedings.

I, **Devon Tyler Barber**, of full age, hereby **certify, state, and affirm under penalty of perjury** that the foregoing statements made by me are **true and correct** to the best of my knowledge, information, and belief.

I understand that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Executed on October 29<sup>th</sup>, 2025, at Hamilton Township, Atlantic County, New Jersey.

**Respectfully submitted,**

Date: October 29<sup>th</sup>, 2025

/s/ **Devon T. Barber**

**DEVON TYLER BARBER**

Barber, Devon Tyler – *Pro Se Defendant and Petitioner*  
325 E. Jimmie Leeds Rd., Suite 7-333  
Galloway, New Jersey 08205  
(609) 665-9350 | [Tylerstead@ProtonMail.com](mailto:Tylerstead@ProtonMail.com)

**DEVON TYLER BARBER,**  
 Defendant, Pro Se  
 3536 Pacific Avenue, Apt. A5  
 Atlantic City, New Jersey 08401  
 Telephone: (609) 862-8808  
 Email: [dTb33@PM.Me](mailto:dTb33@PM.Me)

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

STATE OF NEW JERSEY,  
 Plaintiff,

v.

DEVON TYLER BARBER,

Defendant.

Docket Nos.: **ATL-22-002292** and **ATL-22-002313**

(Unified Guilty Plea / Unified PCR)

**EXHIBIT C — APPELLATE DIVISION**  
**ORDERS (DEC. 8, 2025)**

FILED, Clerk of the Appellate Division, December 10, 2025, A-000308-25, M-001939-25

ORDER ON MOTION

STATE OF NEW JERSEY  
 V.  
 DEVON T. BARBER

SUPERIOR COURT OF NEW JERSEY  
 APPELLATE DIVISION  
 DOCKET NO.: A-000308-25T3  
 MOTION NO.: M-001939-25  
 BEFORE: PART F  
 JUDGE(S): THOMAS W. SUMNERS JR.  
 MARK CHASE

MOTION FILED: 11/17/2025 BY: DEVON T. BARBER  
 ANSWER(S) BY:  
 FILED:

SUBMITTED TO COURT: December 08, 2025

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON  
 THIS 9th day of December, 2025, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION TO SUPPLEMENT THE  
 RECORD DENIED  
 MOTION FOR TRANSCRIPTS AT  
 PUBLIC EXPENSE DENIED AS MOOT

SUPPLEMENTAL:

FOR THE COURT:

*Thomas W. Sumners Jr.*

THOMAS W. SUMNERS JR., C.J.A.D.

22-09-1413-I ATLANTIC  
 ORDER - REGULAR MOTION AB

FILED, Clerk of the Appellate Division, December 10, 2025, A-000308-25, M-001669-25

ORDER ON MOTION

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STATE OF NEW JERSEY  
V.  
DEVON T. BARBER

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO.: A-000308-25T3  
MOTION NO.: M-001669-25  
BEFORE: PART F  
JUDGE(S): THOMAS W. SUMNERS JR.  
MARK CHASE

MOTION FILED: 10/20/2025  
ANSWER(S) 11/26/2025  
FILED:

BY: DEVON T. BARBER  
BY: STATE OF NEW JERSEY

SUBMITTED TO COURT: December 08, 2025

ORDER

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THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON  
THIS 9th day of December, 2025, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION TO SUPPLEMENT/EXPAND  
THE RECORD DENIED

SUPPLEMENTAL:

FOR THE COURT:



THOMAS W. SUMNERS JR., C.J.A.D.

22-09-1413-I ATLANTIC  
ORDER - REGULAR MOTION  
AB

FILED, Clerk of the Appellate Division, December 10, 2025, A-000308-25, M-001668-25

ORDER ON MOTION

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STATE OF NEW JERSEY  
V.  
DEVON T. BARBER

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO.: A-000308-25T3  
MOTION NO.: M-001668-25  
BEFORE: PART F  
JUDGE(S): THOMAS W. SUMNERS JR.

MOTION FILED: 11/05/2025  
ANSWER(S)  
FILED:

BY: DEVON T. BARBER  
BY:

SUBMITTED TO COURT: December 08, 2025

ORDER

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THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON  
THIS 9th day of December, 2025, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION FOR RECONSIDERATION DENIED

SUPPLEMENTAL:

FOR THE COURT:



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THOMAS W. SUMNERS JR., C.J.A.D.

22-09-1413-I ATLANTIC  
ORDER - REGULAR MOTION  
AB

**DEVON TYLER BARBER,**  
Defendant, Pro Se  
3536 Pacific Avenue, Apt. A5  
Atlantic City, New Jersey 08401  
Telephone: (609) 862-8808  
Email: [dTb33@PM.Me](mailto:dTb33@PM.Me)

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

STATE OF NEW JERSEY,  
Plaintiff,

v.

DEVON TYLER BARBER,  
Defendant.

Docket Nos.: **ATL-22-002292 and ATL-22-002313**

(Unified Guilty Plea / Unified PCR)

**ORDER**

THIS MATTER having been opened to the Court upon the Motion of Defendant, **Devon Tyler Barber**, appearing pro se, to compel administrative consolidation, assignment of a Criminal Part judge, and issuance of a scheduling order with respect to a previously filed Petition for Post-Conviction Relief pursuant to **Rule 3:22**, and the Court having considered the papers submitted, and for good cause shown;

**IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, ORDERED as follows:**

1. All Post-Conviction Relief filings relating to Docket Nos. **ATL-22-002292 and ATL-22-002313** are hereby **administratively consolidated** into a single PCR proceeding.
2. A **Criminal Part judge is assigned** to adjudicate the pending Petition for Post-Conviction Relief filed on or about **October 26, 2025**.
3. The **State of New Jersey shall file and serve its response** to the pending Petition for Post-Conviction Relief within **30 days** of the date of this Order.
4. The matter shall be **scheduled for further proceedings**, including case management and determination of whether an evidentiary hearing is required pursuant to **Rule 3:22-10(b)**.
5. This Order is entered **without prejudice** to the merits of the Petition for Post-Conviction Relief or any defenses thereto.

HON. \_\_\_\_\_, J.S.C.

**DEVON TYLER BARBER,**  
Defendant, Pro Se  
3536 Pacific Avenue, Apt. A5  
Atlantic City, New Jersey 08401  
Telephone: (609) 862-8808  
Email: [dTb33@PM.Me](mailto:dTb33@PM.Me)

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

STATE OF NEW JERSEY,  
Plaintiff,  
v.  
DEVON TYLER BARBER,  
Defendant.

Docket Nos.: **ATL-22-002292** and **ATL-22-002313**  
(Unified Guilty Plea / Unified PCR)

**CERTIFICATION OF SERVICE**

**CERTIFICATION OF SERVICE**

I, **Devon Tyler Barber**, of full age, hereby certify as follows:

1. I am the Defendant in the above-captioned matters and submit this Certification of Service in connection with my **Motion to Compel Administrative Consolidation, Assignment of a PCR Judge, and Issuance of a Scheduling Order**.
2. On this date, I caused a true and correct copy of the following documents to be served:
  - Notice of Motion to Compel Administrative Consolidation, Assignment, and Scheduling of PCR;
  - Motion to Compel Administrative Consolidation, Assignment, and Scheduling of PCR;
  - Certification of Devon Tyler Barber in Support;
  - PROPOSED Order; and

- Exhibits attached thereto.

3. Service was made upon the **State of New Jersey** by serving the **Atlantic County Prosecutor's Office**, by the following method(s):

electronic mail

addressed to the Prosecutor's Office at its last known address on file.

4. I certify that service was made in good faith and in accordance with the Rules of Court.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

/s/ Devon Tyler Barber  
DEVON TYLER BARBER  
Defendant / Petitioner Pro Se

Dated: 12/17/2025