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SUPERIOR COURT OF NEW JERSEY

LAW DIVISION, CIVIL PART

ATLANTIC COUNTY

DEVON TYLER BARBER,

Docket No.: (To Be Assigned)

PLAINTIFF,

CIVIL ACTION

v.

**HAMILTON TOWNSHIP POLICE
DEPARTMENT, DIRKES AUTO LLC,
D/B/A DIRKES USED AUTO PARTS,
AND ANY OTHER CUSTODIANS OF THE
VEHICLE,
DEFENDANTS.**

**Certification of Devon Tyler Barber
Regarding November 29, 2025 Traffic Stop
and Impoundment**

CERTIFICATION OF DEVON TYLER BARBER

I, Devon Tyler Barber, of full age, hereby certify the following on personal knowledge:

- 1. Identity & Status** – My name is **Devon Tyler Barber**. I am a New Jersey resident, a licensed Home-Improvement Contractor, and at the time of the incident I was **between housing and receiving Emergency Assistance through Atlantic County**.
- 2. Date, Time & Conditions** – On **29 November 2025**, at approximately **10:50 – 10:55 PM**, I was operating my personal vehicle after stopping at the **Wawa, 300 Cape May Avenue, Mays Landing, NJ**. The ambient temperature was $\approx 28^{\circ}\text{F}$.
- 3. Initial Stop** – Officer **Edward Ruiz** of the Hamilton Township Police Department initiated a traffic stop, stating the basis as a **suspended license, lapsed insurance, expired inspection, and improper front-plate display**.

4. **Administrative Context** – Those administrative deficiencies were **accurate** at the time. My **financial limitations** and an **ongoing Superior Court civil action against the MVC (Docket MER-L-002731-25) concerning lack of due process** contributed to these difficulties.
5. **Compliance at the Window** – When Officer Ruiz approached my window, **I immediately complied**, presenting:
 - My **U.S. Passport Book**
 - My **expired insurance card**
 - Documentation of my **active court case** regarding the MVC suspension.
6. **Explanation Provided** – I informed Officer Ruiz that:
 - I **never received notice or a hearing** regarding the suspension.
 - The matter is **pending before the Superior Court**.
 - I was **in the process of moving** into a new apartment.
 - I **have no family in New Jersey** and am **on Emergency Assistance**.
7. **Delay After Document Submission** – After reviewing my documents, **Officer Ruiz returned to his patrol vehicle**, leaving me waiting **5 – 15 minutes** in freezing weather with **windows down, hazard lights on, and interior lights illuminated**.
8. **Repeated Commands** – During that interval Officer Ruiz repeatedly instructed me to:
 - **“Get in the car”**
 - **“Stay in the car”**
 - **“Get back in the car, sir”**
9. **Statement Under Duress** – I complied **under duress**, stating essentially:

“I’m only getting back in because I am under duress — you’re threatening to take all of my property and leave me in the cold.”

10. **No Further Explanation** – At no time did Officer Ruiz return to my window to explain the delay, give further instructions, or announce an arrest.
11. **Unannounced Physical Force** – Without warning, multiple officers approached my vehicle. Before any officer stated I was under arrest or explained the next step, my door was opened and physical force was immediately applied.
12. **Physical Contact & Verbal Reaction** — Officers—including Officer Ruiz and Officer B. Merritt—grabbed me without explanation. Startled and in pain, I involuntarily reacted by stating:
 - “Let go of me.”
 - “Get the fuck off of me.”
 - “I’ll get out if you let go.”
 - “Don’t touch me.”These statements were reflexive reactions to sudden force, not resistance.
13. **Nature of Statements** – These utterances were defensive reactions to sudden physical contact, not attempts to flee or resist.
14. **Force Applied** – Approximately two officers initially pulled me from the car; three to four additional officers forced me against the patrol vehicle and pushed me into the back seat, while another officer assisted from the opposite side.
15. **Resulting Injuries** – I sustained the following injuries:
 - Wrist pain and a cut on my left wrist
 - Bruising
 - Back pain
 - Neck discomfort
 - A torn sweatshirt
16. **Seizure of Property & Impoundment** – After being cuffed, officers searched my wallet and seized my keys. My dinner and personal belongings remained in the car, which was subsequently impounded.
17. **Forced Walk** – I was later required to walk ~1.2 miles in 28-degree weather back to my motel without food or shelter supplies.

18. **Station Interaction & Camera Issues** – At the station I interacted with **Sgt. Bakker, Sgt. Gluden, Officer Martinez, and Special Agent N. Isom**. Several officers **appeared to mute or deactivate their body-camera recordings** during parts of the interaction.
19. **Request for Recordings** – I explicitly stated that I would be **requesting all body-worn camera footage, dash-camera footage, and station recordings**.
20. **Inappropriate Comment** — While at the station, Officer B. Merritt made an inappropriate comment implying a personal relationship with my former partner, Kelly. I am aware that Officer Merritt previously responded to incidents involving me and Kelly when he served as a Stockton University police officer. This comment raises concerns about personal bias and compromised neutrality during the events leading to my arrest and the impoundment.
21. **Traffic Summons & Criminal Charges** – I was issued **six traffic summonses** and later informed of criminal charges for:
 - **Resisting arrest**
 - **Obstruction**
 - **Disorderly conduct**
22. **Lack of Arrest Notification** – **Prior to the officers using physical force, I was never told I was under arrest**, nor were the criminal charges explained at the scene.
23. **Pattern of Prior Encounters** – This incident **mirrors a pattern of prior encounters**, including **ATL-24-001934 (Barber v. Boyd)** and other incidents wherein **identical charge patterns** were employed to justify force.
24. **Truthfulness** – The events described herein are **true to the best of my knowledge, recollection, and ability to recall immediately following the traumatic experience**.
25. **Driving History – Mileage** – Over the past year I have driven $\approx 20,000$ miles throughout Atlantic County and surrounding municipalities, traversing areas patrolled by departments equipped with **automatic license-plate readers (ALPRs)** and routine registration/status checks.

26. **Driving History – Treatment by Other Agencies** – During that period **no other police department**—including **Galloway Township, Egg Harbor Township, Atlantic City, Pleasantville, Mullica Township, Brigantine, or the New Jersey State Police**—**has treated me as a danger, initiated a custodial arrest, used force, or impounded my vehicle** under comparable circumstances.
27. **Driving History – Safety Record** – I have **not been involved in any accidents, property-damage incidents, or events suggesting I am a danger to other drivers or the public**. My record reflects **consistent, responsible operation** despite homelessness and limited financial means.
28. **Conclusion – Disproportionate Response** – This long, uneventful driving history demonstrates that I **did not present a public-safety threat on 29 November 2025**. The **disproportionate response by Hamilton Township PD**—escalating directly to force, arrest, and impoundment—**stands in stark contrast** to how every other local agency has interpreted the same circumstances over thousands of miles of travel.

These facts form the basis for my Verified Complaint and Order to Show Cause seeking the immediate return of my vehicle.

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

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