

DEVON TYLER BARBER,
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SUPERIOR COURT OF NEW JERSEY

**LAW DIVISION – CIVIL PART
ATLANTIC COUNTY**

DEVON TYLER BARBER,
Plaintiff,

v.

**HAMILTON TOWNSHIP POLICE
DEPARTMENT;
DIRKES AUTO LLC, d/b/a DIRKES USED
AUTO PARTS;
and ANY OTHER CUSTODIANS OF THE
VEHICLE,**
Defendants.

Docket No.: ATL-L-003252-25
Civil Action

PROPOSED ORDER

**CLARIFYING AND ENFORCING
EXISTING INTERIM RELIEF
AND PREVENTING CIRCUMVENTION**

THIS MATTER having come before the Court on Plaintiff's application to **clarify and enforce the interim injunctive relief previously granted by this Court**; and the Court having considered the submissions; and the Court having already determined, for purposes of interim relief, that Plaintiff demonstrated a likelihood of success on the merits, irreparable harm, a balance of equities in Plaintiff's favor, and that the public interest is served by preservation of the status quo; and **for good cause shown**;

IT IS on this ____ day of _____, 2025, ORDERED as follows:

1. **Pursuant to R. 4:52-1 and the Court's inherent equitable authority**, the interim relief previously entered by this Court is **CONFIRMED and CLARIFIED** to prohibit Defendants, and all persons acting in concert with them, from **directly or indirectly enforcing, relying upon, or circumventing Plaintiff's challenged New Jersey Motor Vehicle Commission driver's license suspension**, including through traffic stops, citations, arrests, seizures, impoundments, or continued retention of Plaintiff's vehicle,

where such enforcement relies in whole or in part on the challenged suspension, pending resolution of Plaintiff's due-process challenge.

2. Any enforcement action that functionally relies upon the challenged suspension, whether styled as primary, secondary, or derivative justification, **shall be deemed a violation of this Court's injunctive relief.**
3. To preserve the status quo and prevent irreparable harm, Plaintiff's operation of a motor vehicle **for purposes of housing stability, employment, medical care, and other basic life necessities** shall **not be treated as unlawful or as a basis for enforcement action** during the pendency of this matter.
4. Defendants and all persons acting in concert with them are **ORDERED to preserve all evidence** relating to any enforcement activity involving Plaintiff during the pendency of this matter, including but not limited to body-worn camera footage, dash-camera footage, CAD and dispatch logs, citation records, towing records, and impound documentation.
5. **This injunctive relief is enforceable by the Court**, and any violation may be addressed through appropriate enforcement proceedings, including but not limited to contempt remedies, upon proper application.
6. This Order is entered **without prejudice, without adjudication of the ultimate merits, and without limitation on Plaintiff's ability to seek discovery, suppression of evidence, dismissal of charges in the appropriate forum, or civil damages in subsequent proceedings**, and is entered solely to **effectuate, enforce, and protect the interim injunctive relief already granted by this Court.**

SO ORDERED.

HON. _____, J.S.C.