

URGENT – Request for Judicial Review – Barber – Vehicle Return

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On: Tuesday, December 9, 2025 at 8:17:22 AM



5 attachments

3.7 MB ▼

December 9, 2025

URGENT: Request for Immediate Judicial Review – Ongoing Unlawful Vehicle Retention

To: Hamilton Township Municipal Court Clerk;
Central Municipal Court of Atlantic County;

(Please forward to the Municipal Judge or, if unavailable, to the Superior Court Duty Judge pursuant to R. 1:5-6(c))

Re: *Emergency Application – Immediate Release of Vehicle*

Defendant: **Devon Tyler Barber**

Vehicle: **2019 Volkswagen Passat (F35-VLP)**

Seizure Date: November 29, 2025

I respectfully request **same-day judicial review** of the continued impoundment of my vehicle, which is causing ongoing, irreparable harm. I have already **filed a Motion for Return of Property** in this municipal matter (served December 1, 2025), and the motion remains pending without a hearing date .

I have also filed two related Superior Court actions:

- A Civil Part action under Docket No. **MER-L-002371-25**, where the Court granted my

fee-waiver based on indigency on December 5, 2025 ;

- A Verified Complaint & Order to Show Cause filed in Atlantic County Superior Court concerning the ongoing unlawful deprivation of property .

I additionally submitted a **Formal Internal Affairs complaint and litigation-hold notice** to HTPD on December 4, 2025 documenting the lack of statutory authority, absence of an evidence hold, and failure to provide impound notice or inventory .

The Atlantic County Prosecutor's Office has confirmed that it holds **no 911 call, CAD log, or call-for-service basis** supporting the stop or continued retention of my vehicle.

I am formally requesting that this matter be placed **before the municipal judge today** or, if the judge is unavailable, that it be transmitted to the **Superior Court emergent duty judge** pursuant to **R. 1:5-6(c)** and **R. 4:52-1**, because the impoundment is inflicting immediate and irreparable harm:

- I am indigent (as adjudicated by Superior Court);
- I was housing-unstable at the time of the impound;
- The vehicle was my only means of transportation and access to work;
- There is **no evidence hold**, no statutory authority, and no public-safety justification;
- Daily fees are compounding against a person who judicially qualifies as indigent;
- The municipal motion has been pending for over a week with no scheduling.

I respectfully request that the Court **order immediate release** of the vehicle today, without prejudice to later determination of any fees, or schedule an emergent hearing today or tomorrow.

Attachments:

- Municipal Motion to Release Vehicle (full packet) –
- R. 7:7-7 Discovery Request & Service Record –
- IA Complaint & Evidence-Preservation Notice –
- Mercer Fee-Waiver Order –
- Verified Complaint & OTSC (Atlantic County) –

I certify these statements are true. If willfully false, I am subject to punishment.

/s/ **Devon Tyler Barber**

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