

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – CIVIL PART
MERCER COUNTY**

DEVON TYLER BARBER,
Plaintiff, Pro Se

v.

NEW JERSEY MOTOR VEHICLE
COMMISSION,
Defendant.

Docket No. **MER-L-002371-25**

CERTIFICATE OF SERVICE

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

On this date, I served a true and correct copy of the **Supplemental Letter Clarifying Due Process Harm and Scope of Pending Motion** in the matter of *Barber v. New Jersey Motor Vehicle Commission*, Docket No. **MER-L-002371-25**, by the following methods:

1. **Electronic filing through JEDS**, which provides service upon all parties and counsel of record registered for electronic service in this matter; and
2. **Email service** upon counsel for Defendant, the New Jersey Motor Vehicle Commission, via Deputy Attorney General Jennifer R. Jaremback, using her publicly listed official email address.

This service is made in good faith for purposes of notice and service. At the time of service, no additional appearances by counsel have been identified.

Service by the foregoing methods is believed to be proper and effective pursuant to the New Jersey Rules of Court, including Rules **1:5-1, 1:5-2, and 1:4-4(b)**.

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.

Dated: 12/16/2025

/s/ Devon Tyler Barber
Devon Tyler Barber
Plaintiff, Pro Se
Atlantic County, New Jersey

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – CIVIL PART
MERCER COUNTY

<p>DEVON TYLER BARBER, Plaintiff, Pro Se</p> <p>v.</p> <p>NEW JERSEY MOTOR VEHICLE COMMISSION, Defendant.</p>	<p>Docket No. MER-L-002371-25</p> <p style="text-align:center">SUPPLEMENTAL LETTER CLARIFYING DUE PROCESS HARM AND SCOPE OF PENDING MOTION</p>
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Your Honor,

I respectfully submit this brief supplemental letter to **clarify the due-process harm flowing from the challenged MVC procedures** and to **narrow the focus of the pending Motion for Leave to File an Amended Verified Complaint** (filed November 14, 2025). This letter does not seek adjudication of the merits and is offered solely to aid the Court's consideration of whether amendment should be permitted under **Rule 4:9-1**.

1. Nature of the Procedural Defect

The core defect is not the age or substance of any underlying matter, but **the absence of a meaningful opportunity to be heard before deprivation**. MVC enforced a suspension without providing a workable method to request a hearing or stay—despite possessing multiple reliable means to contact me electronically. The process relied exclusively on postal mail, even where mail was not reasonably accessible or reliable.

2. Five-Year Predicate, Zero Hearing

The suspension was triggered by a **remote predicate** yet imposed **without contemporaneous notice or hearing**. I was never afforded an opportunity to contest, explain, or seek relief before enforcement. A remote predicate cannot constitutionally justify a present deprivation absent contemporaneous notice and a meaningful opportunity to be heard.

3. Downstream, Foreseeable Harm from the Procedural Failure

The lack of process produced **immediate and foreseeable downstream harms**, including exposure to police stops, risk of arrest or vehicle impoundment, loss of income and mobility, barriers to medical access, and destabilization of daily living. These harms

are not speculative; they are the predictable consequences of enforcing a suspension while foreclosing any functional avenue to invoke rights.

4. Availability of Less Restrictive, Reasonable Alternatives

MVC possessed and used electronic communication channels in other contexts and could have acknowledged or docketed hearing requests submitted electronically, issued a temporary stay, or provided an accessible alternative to mail. The **failure to employ any reasonable alternative** underscores the procedural deficiency.

5. Narrow Purpose of the Amendment

The proposed amendment **clarifies and tightens** these due-process facts and theories so the Court may review the legality of the procedures on a complete record. It does not expand the case, add parties for delay, or seek premature merits rulings. The amendment relates back under **Rule 4:9-3**, arises from the same conduct, and causes no prejudice—particularly where no Answer has been filed.

6. Judicial Economy and Public Interest

Permitting amendment at this early stage promotes judicial economy by consolidating issues into a single, coherent pleading and avoids piecemeal litigation. Clarifying the process by which driving privileges are suspended—especially where notice and hearing are absent—serves the public interest and provides needed guidance without requiring immediate merits adjudication.

For these reasons, and consistent with **Rule 4:9-1's** liberal standard, Plaintiff respectfully submits that leave to amend should be granted so the matter may proceed on a clear and accurate record. Plaintiff stands on the papers as filed and does not request oral argument unless the Court finds it helpful.

This clarification is submitted solely to assist the Court and is not intended to expand the scope of the pending motion.

Respectfully submitted,

/s/ Devon Tyler Barber
Devon Tyler Barber
Plaintiff, Pro Se

Dated: 12/16/2025

MER-L-002371-25 Supplemental Letter Filed via JEDS

From dTb33@pm.me <dTb33@pm.me>
To Jennifer Jaremback <Jennifer.Jaremback@law.njoag.gov>
Date Tuesday, December 16th, 2025 at 10:05 AM

Good morning Deputy Attorney General Jaremback,

Re: Barber v. New Jersey Motor Vehicle Commission
Docket No. MER-L-002371-25

I am writing to provide courtesy service by email concurrent with today's filing via JEDS.

Attached please find true and correct copies of the following documents filed as **Letter Correspondence**:

1. **Supplemental Letter Clarifying Due Process Harm and Scope of Pending Motion** (dated December 16, 2025); and
2. **Certificate of Service** relating thereto.

This correspondence is submitted in connection with the Court's scheduling notice indicating that **the motion filed on November 14, 2025 will be decided on December 19, 2025**, with no oral argument requested or scheduled (Re: **Motion to File or Amend Complaint, LCV20253510251 / LCV20253512177**).

This email is sent for notice and service purposes only.

Respectfully,
Devon Tyler Barber
Plaintiff, Pro Se
dTb33@pm.me
(609) 862-8808

Sent with [Proton Mail](#) secure email.

295.31 KB 2 files attached

Letter to Clarify Due Process Harm and Scope.pdf 140.97 KB

Certificate of Service for Clarity Letter.pdf 154.34 KB

