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## McClafferty Sues Elections Supervisor to Reverse Delegate Ballot Disqualification

**A federal complaint filed Wednesday argues Caroline Fawkes lacked authority to remove Matthew McClafferty from the Delegate to Congress race, challenges delayed certification deadlines, alleges civil RICO violations, and seeks reinstatement and damages.**

Legal / **Published On July 09, 2026 06:31 AM /**

Janeke Simon **July 09, 2026**

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### **Brett Matthew McClafferty**

Brett Matthew McClafferty has filed suit against Elections Supervisor Caroline Fawkes in his latest effort to ensure that his name is on the November ballot as a candidate for Delegate to Congress.

Filed in District Court on Wednesday, the civil complaint against Ms. Fawkes and Board of Elections Chair Raymond Williams argues that under local law, his disqualification from the ballot is invalid.

Last week, the Board of Elections [voted in an emergency meeting](#) to uphold Ms. Fawkes' decision to disqualify Mr. McClafferty's candidacy. The Elections Supervisor ruled that complaints from nomination paper signatories on St. Croix raised serious questions about the [integrity of Mr. McClafferty's signature collection process](#).

The lawsuit cites Title 18, Section 411 of the Virgin Islands Code, which gives the supervisor of elections the power to examine nomination paperwork and disqualify candidates under certain circumstances. It also quotes [a portion of Section 12](#) under the same title, which states that all nominations accepted after the stipulated examination must be deemed valid unless a case challenging a nomination is made before the district court within five days following the nomination deadline. "No timely judicial petition challenging the petitions was filed in district court" in his matter, Mr. McClafferty argued.

Representing himself in the lawsuit, Mr. McClafferty also cites [Title 18 VIC Section 47](#) to argue that Ms. Fawkes's investigation was ultra vires. The statute, which still refers to election boards by district, includes among the boards' duties the investigation of "election frauds, irregularities and violations of this title," tasking the board to "report all suspicious circumstances to the Virgin Islands Department of Justice for possible prosecution."

This verbiage, he argues, means that "the Supervisor of Elections has no independent statutory authority to conduct such investigations."

The complaint also takes exception to the unilateral postponement of the candidate certification deadline "twice, without a resolution from the Board of Elections or an act of the Legislature of the Virgin Islands." This is categorized as an "illegal action outside the scope of [Ms. Fawkes'] official duties as authorized by law," which was designed specifically to target Mr. McClafferty, the lawsuit argues, calling the actions of the Elections Supervisor a violation of his first and 14th amendment rights.

Mr. McClafferty also accuses Ms. Fawkes and Chairman Williams of violating civil RICO laws, characterizing the use of "electronic communications and official notices" postponing certification deadlines as examples of wire fraud. The other actions by the Elections Supervisor and the Board of Elections to disqualify Mr. McClafferty amount to racketeering activity, the complaint further argues.

The complaint asks the court to nullify Mr. McClafferty's disqualification and rule that he is entitled to appear on the ballot. It also seeks an order directing election officials to certify his candidacy and award compensatory and punitive damages against Ms. Fawkes specifically.

Mr. McClafferty's legal efforts to have his candidacy restored comes amidst a slew of other proceedings in the High Court as well as the District Court. Locally, he is fighting against [felony charges of delivering worthless checks](#), passing fictitious bills and notes, and obtaining money by false pretenses. Meanwhile, [several civil complaints](#) in federal court accusing Mr. McClafferty of essentially running a Ponzi scheme are currently on hold, awaiting the resolution of two bankruptcy cases in Delaware, one concerning his personal finances and the other associated with his company [Mac Private Equity](#).