The Virgin Islands Consortium

VI Board of Elections Sued, Plaintiff Seeking "New And Proper" Primary Election

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A person who was unable to vote in the August 2nd Democratic Primary election has filed a complaint with the District Court of the Virgin Islands, seeking an injunction that would render the results invalid.

The court document was filed by Allen Haynes a day before the St. Thomas-St. John District Primary Election was certified.

Haynes says in his complaint that the election on August 2nd should not have continued because of the increment weather, which prevented him from going out to vote, especially since he does not live in St. Thomas and would have to take the ferry over in

order to vote.

The U.S. Coast Guard had closed the port at 11 p.m. on August 1st, and did not reopen it until 6:30 p.m. the day after -- just 30 minutes before the polls closed.

It is not yet known where Haynes lives as the affidavit did not reveal his residency.

Haynes is requesting a "new and proper" primary election, and named the Joint Board of Elections, Supervisor of Elections Caroline Fawkes and the Government of the Virgin Islands, as the defendants.

Not only did Tropical Storm Bertha seriously impact the entire territory on the chosen date of the primary, Tropical Storm Bertha also inundated the Virgin Islands with torrential rains resulting in flooding in many areas

The elections were illegal, Haynes argues, because VITEMA was responsible for issuing an alert on August 2nd, urging residents to stay indoors during voting period, and yet the election continued normally.

"Upon information, VITEMA Director Elton Lewis received a recommendation from the Emergency Operation Center to postpone elections," Haynes said in the affidavit.

Haynes said he was denied his fundamental civil right to vote in the August 2nd primary elections as a direct result of the defendants decision to move ahead with the election.

"Not only did Tropical Storm Bertha seriously impact the entire territory on the chosen date of the primary, Tropical Storm Bertha also inundated the Virgin Islands with torrential rains resulting in flooding in many areas," Haynes continued, adding that the weather impeded many people from going to the polls.

Adelbert Bryan, Board of Elections Chairman for the St. Croix District couldn't be reached for comment, and while Elections Supervisor Caroline Fawkes commented, saying that she stands by the Board's decision to proceed with the August 2nd election, she would not comment on the matter at hand.

"I have no other comments, but I will check on it when I return to St. Croix," Fawkes said.

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