

The Virgin Islands Consortium

Coffelt To Remain On Nov. 4th Ballot, Federal Court Says

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Gubernatorial candidate Judge Soraya Diase-Coffelt and her running mate Republican John Canegata will remain on the November 4th ballot, the Third Circuit Court of Appeals made known in an opinion released on Tuesday.

Running to become the next governor and lieutenant governor of the Virgin Islands, Coffelt and Canegata hit a roadblock when Chief District Judge Wilma Lewis upheld a decision made by Elections Supervisor Caroline Fawkes that barred the team from running because they were of different party affiliations.

The Third Circuit Court of Appeals struck down the ruling, citing the indistinct nature of the V.I. Code on the matter.

"Thus like the District Court, we conclude that the Code does not expressly prohibit Canegata's candidacy. At the same time, however, we recognize that the plain language of the Code does not affirmatively permit Canegata's candidacy either," wrote the 3rd Circuit Court of Appeals in its opinion.

"The District Court concluded that the Election Code was silent on the permissibility of Canegat's candidacy; that this silence was ambiguous; and that as a result, the Supervisor of Elections' interpretation of the Code, which the Court found persuasive, was entitled to difference," the opinion continued.

The opinion also noted that in many states Canegata's candidacy would not have been permitted, including in Pennsylvania, the state upon which the Virgin Islands election code is based, however no similar provision is made in V.I. Code.

In a statement released on Tuesday night, the Coffelt-Canegata ticket applauded the Third Circuit Court of Appeals' decision and called the Supervisor of Elections actions "illegal."

"The illegal actions of the Super of Elections to keep us off the ballot have been voided," the Coffelt-Canegata team said.

"This is a ground-breaking decision for the people of the Virgin Islands because it solidifies the right of the people to nominate candidates of their choice no matter what political persuasion that candidate may have."