

The Virgin Islands Consortium

Update: Judge Lewis Rules Against "Chucky", Restraining Order Dissolved

Politics / **Published On September 14, 2014 07:36 PM /**

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Former Senator Alicia 'Chucky' Hansen.

Update 3: The *VI Consortium* has retracted this story. Please see [here](#) for more details.

Update 2: Our sources have just told us that the information we've been privy to will be made known to the general public in Judge Lewis' opinion that may be released this morning.

Update 1: This morning on Alvin Gee's radio news broadcast, Senator Alicia "Chucky" Hansen denied our report that Judge Wilma Lewis had dissolved her temporary restraining order, stating that Elections Supervisor Caroline Fawkes had "not changed her mind." However, the *VI Consortium* at no time reported a story concerning Fawkes changing her mind about allowing Sen. Hansen to return to the November 4 ballot. In fact, [we reported last week](#) that Fawkes held no objection to Hansen's name being put back on the ballot. Also, in the radio interview this morning, the senator made no mention of the [Supreme Court of the Virgin Islands ruling that threw out the Office of the Attorney General's motion that sought to rehear the Bryan v. Fawkes case](#). Hence, we stand by our report, as our sources are confident Judge Lewis had ruled against Hansen on Saturday night. Our sources are the same ones who provided us with the Supreme Court's ruling against the AG's office to rehear the Bryan v. Fawkes case, so we deem them trustworthy.

Earlier:

Last night at around 10:30, District Court of the Virgin Islands Chief Justice Wilma A. Lewis ruled against Sen. Alicia "Chucky" Hansen being put back on the ballot for the upcoming General Election on November 4, the *VI Consortium* has confirmed, dissolving the temporary restraining order she granted Hansen on Friday.

Lewis' ruling brings to an end the extraordinary story that unfolded in the Bryan v. Fawkes case when former senator and Chairman of the Board of Elections, Adelbert Bryan, contended that Hansen was not eligible to be on the November 4 ballot because of crimes of moral turpitude.

When exercising jurisdiction over cases requiring the application of Virgin Islands Law, the Third Circuit Court of Appeals has instructed the Virgin Islands District Court to predict how the Supreme Court of the Virgin Islands would decide an issue of territorial law, and should seek guidance from the Superior Court decisions in undertaking this endeavor. In essence, the Pennsylvania-based Third Circuit Court of Appeals gives the V.I. District Court the power to rule how it predicts the V.I. Supreme Court would rule in a given case. Lewis' ruling last night is a result of the Supreme Court's ruling on Friday that denied the Attorney General's petition to rehear the Bryan v. Fawkes case.

Hansen's only remaining option is to mount a write-in effort.

In her weekly "Keeping in Touch with my People" statement released in the *St. Croix Avis* on Sunday morning, Hansen, who was not yet aware of Judge Lewis' new ruling, which came on Saturday night, said she was grateful she lived in America and thanked her supporters for standing with her, telling them "not to be confused by the haters." She concluded by stating: "God's will always prevails over evil."

The *VI Consortium* will have more on Justice Lewis' ruling in a follow-up story.

Recap

On Aug. 28, the Virgin Islands Supreme Court heard testimony by attorneys representing Sen. Hansen, defendant, and Board of Elections Chairman Adelbert Bryan, plaintiff, concerning the legitimacy of the senator's candidacy and, more pointedly, her eligibility to seek office in the upcoming 31st Legislature of the Virgin Islands.

In Hansen's defense, attorney Lee Rohn argued that the crimes Hansen was convicted of were misdemeanors, therefore they did not fall under the 'moral turpitude' umbrella. However Bryan's attorney, Emile Henderson, contended Hansen's crimes were indeed acts of moral turpitude because the senator's actions were "willful," a term used when determining moral turpitude.

[The Supreme Court ruled against Hansen on Aug. 28](#), barring the senator from seeking office in the 31st Legislature. Within days, Hansen was pardoned by Governor de Jongh, who reasoned that Hansen's fate should be left in the hands of St. Croix voters.

Following the pardon, Sen. Hansen's attorneys [filed a temporary restraining order on Sept. 10](#) in the District Court of the Virgin Islands against Board of Elections Supervisor Caroline Fawkes, contending that the Governor's pardon had "cured" the veteran senator's crimes, therefore giving Hansen a right to be put back on the November 4 ballot as a legitimate candidate.

On the morning of Sept. 12, [Judge Lewis granted Hansen's legal team the requested temporary restraining order](#) that was supposed to last through Sept. 26. However, after the [Supreme Court's ruling the same day](#), at about 5:08 p.m., that denied a motion by the Attorney General's office to rehear the Bryan v. Fawkes case, Judge Lewis was left with no choice but to dissolve the temporary restraining order and fall in line with the Supreme Court's ruling.