

The Virgin Islands Consortium

Positive Nelson's Candidacy Is Defective, Elections System Says. Mr. Nelson Intends To Challenge Decision.

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ST. CROIX -- Senator Positive Nelson told the media during a Thursday press conference at Gertrude's Restaurant that the Elections System of the Virgin Islands has determined that his candidacy for governor of the Virgin Islands is defective, because his running mate, Gary Udhwani, was not registered to vote. When Mr. Udhwani finally re-registered -- on the deadline to file nomination documents -- the Election System said he did not gather the requisite number of signatures, which is 100 in each district for independent candidates, to qualify. (Both Mr. Nelson and Mr. Udhwani said they had met the required amount of signatures needed, challenging the Elections System.)

Mr. Udhwani said during the press event that he had been a registered voter since 1995 and even showed his voter's registration ID. But since he was inactive the Elections System removed him from the system, a process Mr. Nelson described as "bumping out". Asked when last he voted, Mr. Udhwani could not remember.

According to Virgin Islands Code § 411, Section C, "When a nomination petition, nomination paper or nomination certificate is found to be defective, the candidate shall be notified immediately by special messenger with the reason or reasons therefor. If a new, valid petition, paper or certificate is not filed within three days thereafter, the candidate shall be disqualified for nomination or election."

Going by the law, Mr. Nelson is clearly disqualified -- except for one snag: the senator said he was not notified at all by Caroline Fawkes, supervisor of elections, about his defective nomination (the law says Mr. Nelson should have been notified immediately by a special messenger sent by the Elections System, and given three days to file anew), and with the deadline for certification being June 5, he is challenging the Elections System in hopes of keeping his candidacy alive.

"The first correspondence I received from the Elections office was when I went there to a meeting with her [Ms. Fawkes] and this was on the 21st of May," Mr. Nelson said. Mr. Nelson originally filed on May 8. He said no letter was mailed out to him, and he only found out because he heard discussions about his candidacy being defective on local radio.

The senator said he's considering retaining legal counsel to settle the matter. We'll be following closely the developments.

Feature Image: Positive Nelson and running mate Gary Udhwani pose for a picture at Gertrude's Restaurant following their press conference. (Ernice Gilbert, VIC)