

Board to decide fate of commissioner appeal

If approved, hearing must be held within 10 days

By Adam Wagner
StarNews Staff

BOLIVIA — The fate of a Brunswick County Board of Commissioners' primary could be decided as early as Thursday.

Alan Lewis, who finished 460 votes behind Mike Forte in the District Four Republican primary, filed a protest in late March claiming third-place finisher

Alan Lewis



Louie Lewis

Louie Lewis does not live in the district. Louie Lewis received 2,819 votes in the March election.

Thursday, April 21, the Brunswick County Board of Elections will hold a preliminary consideration for Alan Lewis' protest, in order to determine whether it will head to a full hearing. If the three-member board of elections signs off on Alan Lewis' protest, the formal hearing must be held within 10 business days, or by May 5, said Sara Knotts, director of the county's Board of Elections.

A preliminary consideration, Knotts added, is a public meeting of the board. "If any of the parties involved in the protest are there, we allow public comment," Knotts said of Thursday's meeting, "so I imagine the board will hear from anybody that's present."

Should the board decide Alan Lewis' protest deserves to move to the more formal hearing, they will have subpoena power.

Challenges of a residency protest

To win the protest and receive the new election he is asking for, Alan Lewis must be able to prove not only that Louie Lewis does not live in District Four, but also that his candidacy affected the race's outcome.

Alan Lewis will likely be able to prove that barring Louie Lewis' involvement, he feasibly could have won the election, said Andrew Taylor, a N.C. State political science professor.

"I think he can make a good case that Louie Lewis' entrance into the race materially affected the outcome, and the way he can do that is he'd only need to win 16 percent more of (Louie Lewis') votes than Forte," he said.

Furthermore, Taylor added, Alan Lewis could also claim that having the same last name as Louie Lewis might have led to confusion for some voters.

Forte, who did not immediately return a call for comment for this story, has said he believes Louie Lewis' involvement likely aided his candidacy.

The more difficult claim for Alan Lewis, Taylor said, will be proving that Louie Lewis does not live at the 227 Ocean Highway East address he filed from.

If necessary, Taylor said, Louie Lewis could claim that he moves between properties regularly, considers each house his residence and "genuinely put his head down" in each home.

As long as Louie Lewis was able to genuinely claim

Louie Lewis' voting history:

- February 2006: Louie Lewis changes voter registration to 237 Ocean Highway East (District Four).
- February 2006: Lewis changes voter registration to 431 Southport-Supply Road (District Three)
- May 2006: Louie Lewis loses to Marion Davis in the Democratic primary for District Two commissioner.
- May 2010: Louie Lewis loses to Elizabeth "Rendy" Lewis in the Democratic primary for Brunswick County Sheriff.
- October 2015: Changes voter registration to 655 Governors Road Southeast (District Four).
- Dec. 18, 2015: Changes voter registration to 227 Ocean Highway East (District Four).
- Dec. 21, 2015: Louie Lewis files to run in the District Four county commissioner race as a Republican.

a home in District Four by Feb. 14, he would have been eligible to vote in the March 15 election and, thus, eligible to be a candidate, according to North Carolina law. There is no statute that specifically addresses how long a candidate for commission must reside in a given district or even county.

Rather, the law only says a candidate must be eligible to vote for the office at the time of filing. According to state law, a citizen only has to be resident of a given jurisdiction for 30 days to be eligible to vote there.

Louie Lewis is well aware of those rules.

"I went and got a copy of the rules and regulations to make sure I was inside and I was doing the right thing," Louie Lewis said.

Louie Lewis also questioned why Alan Lewis waited until after the March primary to file a complaint, even though rumors had been running throughout Brunswick political circles for months.

"If he'd have protested this thing before the primary, it would have probably given me more publicity and I might have won," Louie Lewis said. "But he waited until after the fact."

Alan Lewis has not returned calls for comment since filing the election protest.

Louie Lewis' address history

Speaking in late March, Louie Lewis claimed he had only had one residence since 1965. State Board of Elections files,

though, indicate that Lewis, who owns dozens of parcels throughout the county, has moved — or at least moved his voting registration — four times in recent years.

According to his voter records, Louie Lewis changed his residence to 237 Ocean Highway East — in District Four — on February 14, 2006. Then, six days later, he reversed the change.

"When I got married the second time, I moved my address over there on the river house I had," Louie Lewis said, adding that he never changed his driver's license or mailing address from the Ocean Highway East address.

Address change or not, Louie Lewis' voting records do not give any indication that he lived in District Two.

Nevertheless, three months after the registration changes, he lost the Democratic primary for District Two commissioner to Marion Davis. Fast forward nine years, to Oct. 7, 2015, Louie Lewis again changed his address, this time to 655 Governors Road, a Winnabow address in District Four.

Louie Lewis would make one final change to his address on Dec. 18, switching over to 227 Ocean Highway East.

Three days later, he used that address to file his candidacy for county commissioner.

—Reporter Adam Wagner can be reached at 910-343-2389 or Adam.Wagner@StarNewsOnline.com.



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