

Ashley St. Clair Sues Elon Musk for Sole Legal Custody of Their Son (Exclusive)

In her petition, St. Clair says Musk has only met the child three times, with the last visit in Nov. 2024

by Elizabeth Rosner and Lawrence Yee



Ashley St. Clair, Elon Musk. Photo: Ashley St. Clair/X; Andrew Harnik/Getty

Ashley St. Clair is suing Elon Musk for sole legal custody of their infant son.

St. Clair filed the petition for custody with the New York Supreme Court on Friday, Feb. 21. In the petition, St. Clair said New York is the home state of the child, who

goes by R.S.C. User Magazine was first to report the news.

The author, 26, alleges in the petition that Musk is the father of the boy, who was born in September 2024 (the exact date has been redacted in the filing). She claims that

Musk was not present at R.S.C.'s birth and "has met him only three (3) times and has had no involvement in his care and upbringing."

Although she stated that Musk is R.S.C.'s father, she also filed a paternity petition along with the custody petition.

In the petition, she says that she and Musk began a "romantic relationship in or about May 2023," and the two had intercourse in January 2024, at which time R.S.C. was conceived.

St. Clair says that Musk "acknowledged parentage of the child in various written correspondences" including a text message exchange after R.S.C.'s birth. St. Clair says she sent Musk a photo of her and the newborn shortly after his birth, to which she claims Musk responded, "I look forward to seeing you and him this weekend." She included a screenshot of the alleged exchange in her petition.

When discussing safety concerns, she claims Musk said, "If I make a mistake on security, [R.S.C.] will never know his father," which she says is another acknowledgment of parentage.

St. Clair says Musk eventually met his son on Sep 21, 2024, and spent two hours with them, and then for one hour the next day.

“Karen B. Rosenthal writes: ‘This firm has been dealing with Respondent’s lawyer and representative, Alyssa Rower from Rower, LLC, in an attempt to resolve this matter privately. The law firm has offices in Manhattan and Westchester, New York. However, his representatives have been nonresponsive in the past to resolve the outstanding issues and Respondent has indicated that he no longer wishes to resolve issues of custody and support amicably.’”

She says the last time Musk saw R.S.C. was November 30, 2024, for only 30 minutes.

A week before that meeting, she claims that Musk texted her "I want to knock you up again" on November 24, 2024. Three months later, she claims Musk texted her again: "Well, we do have a legion of kids to make."

"Ashley St. Clair has filed paternity

and custody petitions to protect the best interests of her child,” her representative Brian Glickich tells PEOPLE in an exclusive statement. “She has made every effort to collaborate with Mr. Musk before taking this step. She has no further comment on the contents of the petitions, which speak for themselves.”

PEOPLE has reached out to Musk’s reps and attorneys.

St. Clair has requested the court “issue a summons, warrant or order requiring the Respondent to show cause why the Court should not enter a declaration of paternity, an order of support and such other and further relief as may be appropriate under the circumstances.”

In her attorney affirmation, St. Clair’s lawyer Karen B. Rosenthal writes: “This firm has been dealing with Respondent’s lawyer and representative, Alyssa Rower from Rower, LLC, in an attempt to resolve this matter privately. The law firm has offices in Manhattan and Westchester, New York. However, his representatives have been nonresponsive in the past to resolve the outstanding issues and Respondent has indicated that he no longer wishes to resolve issues of custody and support amicably.”

Rosenthal explained that due to Musk’s

role in the Trump administration, having him served at the White House would not be possible due to the high level of security there. ■