

## Elon Musk Ordered to Appear in New York City Court over Custody Issues with Ashley St. Clair

A New York judge will hear arguments about whether or not Musk should take a paternity test, let custody be awarded to St. Clair or pay child support for his 13th child

by Charlotte Phillipp and Elizabeth Rosner



Elon Musk (left); Ashley St. Clair (right). Photo: Marc Piasecki/Getty; Ashley St. Clair/X

**E**lon Musk has been ordered to appear in a New York City court, as Ashley St. Clair sues him for sole custody of his 13th child.

In a new court filing obtained by PEOPLE

on Friday, Feb. 28, attorneys for St. Clair, 26, requested that Musk, 53, appear at the New York County Courthouse on May 29. Attorneys for Musk will be allowed to argue why he shouldn't be forced to grant

St. Clair sole custody of their 5-month-old child — who is referred to by his initials, R.S.C. — or why Musk shouldn't be forced to take a paternity test.

The New York Supreme Court judge overseeing the case, Jeffrey H. Pearlman, will also hear arguments about whether or not Musk should be ordered to pay child support to St. Clair.

An attorney for St. Clair, Karen B. Rosenthal, told PEOPLE in a statement that Musk has still not accepted the court filing, either in person or via his attorneys.

“Despite requests, Mr. Musk has still not accepted service of the motion papers via his alleged attorneys, which is easy enough to do,” Rosenthal said in a statement.

“As a result of avoiding personal service, he has prolonged the litigation and caused unnecessary distress. It should be noted that no attorney has opted in to the NYSCEF system claiming they represent Mr. Musk,” she added. “We don't have anyone we can properly speak with. It's unnecessary gamesmanship when there's an infant involved.”

In an additional evidence filing obtained by PEOPLE, attorneys for St. Clair argue that the case's jurisdiction should be in New York City, where the children's book author

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resides, by showing that Musk already has N.Y.-based attorneys.

“We want to avoid attempting service at the White House and at other sensitive locations,” an attorney for St. Clair writes in one email, listed in the evidence filing. “Attempting service at the White House would, in our view, be sub-optimal optics for Elon, and Ashley would like to avoid doing this.”

St. Clair first sued the DOGE administrator for sole legal custody of their infant son 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.

The author alleges in the petition that Musk is the father of the baby 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 the X owner 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.

Ashley St. Clair Says Elon Musk Hasn’t Acknowledged Their Baby, Urges Him to ‘Finish Their Agreement’ in Terse Statement

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.

St. Clair says Musk eventually met his son on Sept. 21, 2024, and spent two hours with them, and then for one hour the next day. She says the last time Musk saw R.S.C. was Nov. 30, 2024, for only 30 minutes.

The conservative influencer made

headlines on Feb. 14 when she posted an announcement to X saying that she and Musk have a child together, his 13th.

“Five months ago, I welcomed a new baby into the world. Elon Musk is the father. I have not previously disclosed this to protect our child’s privacy and safety, but in recent days it has become clear that tabloid media intends to do so, regardless of the harm it will cause,” read her announcement.

“I intend to allow our child to grow in a normal and safe environment,” said St. Clair. “For that reason, I ask that the media honor our child’s privacy, and refrain from invasive reporting.”

Musk is also a father to children Nevada, Vivian, Griffin, Kai, Saxon, Damian, X Æ A-12, Exa, Strider, Azure, Techno and his second youngest child. He shares his children with his ex-wife, Canadian author Justine Wilson, singer-songwriter Grimes (whose real name is Claire Boucher) and Neuralink Corp.’s director Shvonne Zilis.

Representatives for Musk did not respond to PEOPLE’s request for comment. ■