

EXHIBITS

**MEMORANDUM OF LAW IN SUPPORT OF
VENITA JACKSON LEVERETTE'S OBJECTION
TO PROTOCOL PRIOR TO GENETIC TESTING**

STATE OF MINNESOTA

COUNTY OF CARVER

DISTRICT COURT
PROBATE DIVISION
FIRST JUDICIAL DISTRICT
Court File No.: 10-PR-16-46
Judge Eide

Estate of

Prince Rogers Nelson,

Decedent.

AMENDED CERTIFICATE OF REPRESENTATION

PLEASE TAKE NOTICE THAT the undersigned attorneys represent Venita Jackson-Leverette, who claims heirship and an interest in the above-referenced estate.

FIELDS & BROWN, LLC

Dated: June 14, 2016

/s/Charles R. Brown
Charles R. Brown (MO #27884)
Taylor Fields (MO #21371)
J. David Bowers (MO #33469)
1100 Main, Suite 1600
Kansas City, MO 64105
Telephone: (816) 474-1700

Attorneys for Venita Jackson-Leverette

J. SELMER LAW, P.A.

Dated: June 14, 2016

/s/Marc M. Berg
James C. Selmer (Minn. #171086)
Marc M. Berg (Minn. #20979x)
Suite 2010
500 Washington Avenue South
Minneapolis, Minnesota 55415
Telephone: (612) 338-6005

Attorneys for Venita Jackson-Leverette



STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
PROBATE DIVISION
FIRST JUDICIAL DISTRICT
Court File No.: 10-PR-16-46
Judge Eide

In Re:
Estate of Prince Rogers Nelson,

Deceased.

AFFIDAVIT

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

Before me, the undersigned authority, personally appeared Venita Jackson Leverette, who, being by me duly sworn and deposed as follows:

My name is Venita Jackson Leverette. I am of sound mind, capable of making this affidavit, personally acquainted with the facts herein stated, and they are true and correct to the best of my knowledge.

1. What is your full legal name? **Venita Giselle Jackson Leverette**
2. What is your birth date? **February 2, 1958**
3. Where were you born? **Jackson County, Missouri**
4. Please provide a certified copy of your birth certificate. **Attached as Exhibit A**
5. What are the full names of your biological parents? **Neil Jackson and Alfred B. Jackson, Sr.**
6. Were your biological parents married when you were born? (If yes, answer the subparts below.)
 - a. When were your parents married? **December 8, 1956**
 - b. Where were your parents married? **Jackson County, Missouri**



- c. What was your biological mother's maiden name? **Markham**
 - d. Please provide a certified copy of your parents' marriage certificate or other proof of marriage. **Attached as Exhibit B**
 - e. Were your parents divorced? If so, please provide the date of the divorce and a certified copy of the divorce decree or other proof of divorce. **June 25, 1958, attached as Exhibit C**
7. Were your biological parents married after you were born? (If yes, answer below) **No**
- a. When were your parents married? **Not applicable**
 - b. Where were your parents married? **Not applicable**
 - c. What was your biological mother's maiden name? **Not applicable**
 - d. Did the man who married your biological mother acknowledge his paternity of you in writing filed with a state registrar of vital records? **Not applicable**
 - e. Was the man who married your biological mother named as your father on your birth record with his consent? **Not applicable**
 - f. Was the man who married your biological mother obligated to support you under a written voluntary promise or by court order? **Not applicable**
 - g. Please provide a certified copy of your parents; marriage certificate or other proof of marriage. **Not applicable**
 - h. Were your parents divorced? If so, please provide the date of the divorce and a certified copy of the divorce decree or other proof of divorce. **Not applicable**
8. If your parents were not married when you were born, had they attempted to marry each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared void, voidable or otherwise invalid? **Not applicable**
- a. What was the date of the attempted marriage? **Not applicable**
 - b. Where did the attempted marriage take place? **Not applicable**
 - c. Please provide proof of the attempted marriage. **Not applicable**
 - d. If the invalid marriage was terminated by death, annulment, declaration of invalidity, dissolution or divorce, please provide the date of the termination and any proof of such termination. **Not applicable**

9. If your parents did not marry or attempt to marry, did any man receive you into his home and openly hold you out as his biological child? If yes, please name the man and provide details and other evidence (e.g. sworn statements, photographs, documents) to support your answer. **Not applicable**
10. If your parents did not marry or attempt to marry, did any man and your biological mother acknowledge the man's paternity of you in a writing signed by both of them under Minn. Stat § 257.34 (copy attached) and filed with the state registrar of vital records? If yes, please provide a certified copy of such writing. **Not applicable**
11. If your parents did not marry or attempt to marry, did any man and your biological mother execute a recognition of parentage of you pursuant to Minn. Stat § 257.34 (copy attached)? If yes, please provide a certified copy of such recognition of parentage. **Not applicable**
12. Is any other man presumed to be your father under any of the presumptions found in Minn. Stat § 257.34 (copy attached)? If yes, please provide details, and also whether the other man signed a written consent if your father and mother signed a written acknowledgment of paternity under Request No. 10 above. **Not applicable**
13. Was your biological mother married to any man other than your biological father when you were born or within 280 days before your birth? **Not applicable**
14. Does a judgment or order exist determining a parent and child relationship between you and one of more parents: If so, please provide details and a certified copy of such judgment or order. **Not applicable, See Exhibit A, Affiant's birth certificate**
15. Detail the actions taken by you to confirm that the responses to the above requests are true and accurate. **Search of vital records, court records, and knowledge of family history**
16. If you contend additional information is needed or should be considered by the Special Administrator to support your claim to be an heir, please provide such information. The following information also should be considered by the Special Administrator:

I have reason to believe that Prince Rogers Nelson (hereafter "Prince") is my half-brother based on the following. My father, Alfred Jackson, Sr. ("Alfred Sr." or "my father") was married to Mattie Shaw ("Mattie" - biological mother of Prince) on February 19, 1953, in Kansas City, Missouri (See Exhibit D, copy of Jackson-Shaw Marriage License). My half-brother, Alfred Jackson, Jr. ("Alfred Jr." or "my brother") was born in July 1953. I can find no record of Mattie and Alfred Sr. being divorced, but suspect they were at some point after my brother's birth.

Sometime after 1953, Mattie left Kansas City, Missouri and relocated to Minnesota. Mattie returned to Kansas City with Alfred Jr. and requested that my father and grandparents care for him. Mattie returned to Minnesota, and Alfred Jr.

stayed behind in Kansas City and lived primarily with my father and grandparents, Mamie and Ollie Bruce. During the time frame after Alfred Sr. and Mattie were purportedly divorced, my brother recalls seeing Mattie with Alfred Sr. on multiple occasions. Mattie would visit my brother in Kansas City, or my brother would visit Mattie in Minnesota. Alfred Sr. was always present during these visits, and many times the visits were overnight stays. From 1953 to 1992, Mattie and Alfred Sr. maintained communication with each other and saw each other.

My father, Alfred Sr., married my mother, Neil Markham ("Neil"), on December 8, 1956 (See Exhibit B, copy of Jackson-Markham Marriage Certificate) and I was born on February 2, 1958 (See Exhibit A, copy of my birth certificate). After my birth we lived with my grandmother and did not return to the family home. Alfred Sr. and my mother were divorced on June 8, 1958 (See Exhibit C, Divorce Decree). I believe to this day that the reason my parents divorced was because my mother was pregnant with me at the same time Mattie was pregnant with Prince. Prince was born a little more than three months after me on June 7, 1958. I asked my mother many times why she divorced my father, but she refused to discuss it. In the years following my birth, I recall seeing Mattie on several occasions when Mattie visited my brother; and I also recall that Alfred Sr. was always present during those occasions.

Alfred Jr. believed our father was also the biological father of Prince. Alfred Jr. commented that our father and Mattie had a long distance relationship through the years. When we were in our 40s, Alfred Jr. informed me that I needed to know something about our father. Alfred Jr. told me he finally asked Mattie if she could confirm his suspicions about our father. During the conversation, Mattie confided to my brother that our father may also be Prince's father. Mattie also told my brother that he was not to discuss the subject with anyone. Although I saw Mattie after hearing this from Alfred Jr., I never discussed the issue with her.

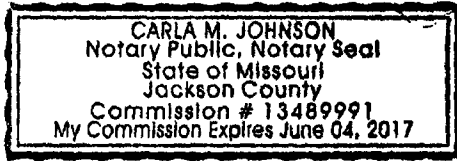
Mattie visited Kansas City and stayed with my brothers, Alfred Jr. and Bruce Jackson, even after our father and my mother died. Alfred Sr. died on August 21, 1992 (See Exhibit E, Alfred Jackson Sr. Death Certificate) and my mother died on January 25, 1997 (See Exhibit F, Neil Jackson Death Certificate). Mattie Shaw died on February 15, 2002.

Although I am very concerned with protecting my privacy, I would like to know if my father was also the biological father of Prince. Not only would it clear up a family mystery, but it would give me an explanation as to why my mother and father divorced shortly after my birth. Finally, it would also afford me the opportunity to protect my legal rights in this matter.

Further, Affiant Sayeth Not. I declare under penalty of perjury that this affidavit is true and correct.

Venita J. Leverette
Affiant- Venita Jackson Leverette

In witness whereof I have subscribed my name and affixed my official seal this 16th day
of June, 2016.



Carla M. Johnson
(Signed)

(Seal)

Exhibit A

KANSAS CITY HEALTH DEPT
 VITAL STATISTICS-CLIFF DENNIS
 2400 TROOST SUITE 1000
 KANSAS CITY MO 64108



MISSOURI DEPARTMENT OF HEALTH
 AND SENIOR SERVICES
 FEE RECEIPT
 BIRTH CERTIFICATION

REGISTRANT(S):

VENITA LEVERETTE
 2828 SE BINGHAM CIRCLE
 LEES SUMMIT MO 64063

VENITA GISELLE JACKSON
 B9999-999999
 1 COPY

YOUR RECENT REQUEST HAS BEEN ACTED UPON AS INDICATED BELOW:				
DATE RECEIVED	TOTAL AMOUNT	AMOUNT THIS REQUEST	PROCESSING FEE REQUIRED	REFUND
04/29/2016	15.00	15.00	0.00	0.00

MO 580-0690 (2-12)

UNAPPLIED REMITTANCES ONLY VALID FOR ONE YEAR AFTER RECEIPT. When you inquire about your request, please return this receipt. If a refund is indicated, it will be mailed within 30 to 60 days.

MISSOURI

BIRTH CERTIFICATION

DATE FILED: MARCH 6, 1958 STATE FILE NUMBER: 124-58-008082

CHILD'S NAME: VENITA GISELLE JACKSON

DATE OF BIRTH: FEBRUARY 2, 1958 COUNTY OF BIRTH: JACKSON SEX: FEMALE

MOTHER'S MAIDEN NAME: NEIL MARKHAM

MOTHER'S AGE: 31 MOTHER'S STATE OF BIRTH: LOUISIANA

FATHER'S NAME: ALFRED B JACKSON

FATHER'S AGE: 40 FATHER'S STATE OF BIRTH: TEXAS

ISSUED ON BEHALF OF MO DEPT HEALTH & SENIOR SERVICES: KC HEALTH DEPT

THIS IS A TRUE CERTIFICATION OF NAME AND BIRTH FACTS AS RECORDED BY THE
 BUREAU OF VITAL RECORDS, JEFFERSON CITY, MISSOURI.

APRIL 29, 2016

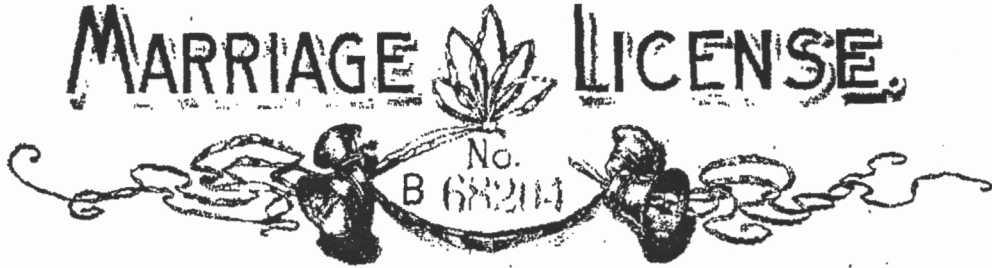
DATE ISSUED: _____

Craig E. Ward
 State Registrar of Vital Statistics

THE REPRODUCTION OF THIS DOCUMENT IS PROHIBITED BY LAW.
 ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATION.

Exhibit B

MARRIAGE LICENSE



No. B 68214

OFFICE OF
RECORDER OF DEEDS
JACKSON COUNTY, MISSOURI,
AT KANSAS CITY.

STATE OF MISSOURI } SS.
COUNTY OF JACKSON.

This license authorizes any Judge, licensed or ordained Preacher of the Gospel, who is a citizen of the United States, or other person, authorized under the laws of this State to solemnize marriage between Fred B. Jackson of the County of Jackson and State of Mo Neil Markham the age of twenty-one years and Jackson of the County of Mo Over the age of eighteen years

Witness my hand, as Recorder, with the seal of office hereto affixed, at my office in Kansas City, Missouri, this 8 day of December 1956
Nathan Dearritt RECORDER
Josephine Progan DEPUTY RECORDER

STATE OF MISSOURI } SS.
COUNTY OF JACKSON

This is to certify that the undersigned, of Christine Minnett did in said County and State, on the 8th day of Dec 1956 unite in marriage the above named persons.
Mrs. D. L. Smith
SIGNATURE
3730 Virginia
PRINT NAME AND ADDRESS ON THIS LINE

This License must be returned to the office of Recorder of Deeds by the person solemnizing the marriage, within ninety days from the issuing thereof.

THIS LICENSE VOID AFTER TEN (10) DAYS FROM DATE OF ISSUANCE.

License Issued by Y Date of Male Test 12-5-56 Date of Female Test 12-5-56

STATE OF MISSOURI } ss. (AFFIDAVIT OF MALE)
County of Jackson

Alfred B. Jackson
Address
of Brooklyn County Mo State

party of the first part, desiring to procure a license to marry
Neil Markham
Address
of Brooklyn County Mo State

party of the second part, do hereby solemnly swear that I am the age of 35 years, that we are not first cousins, that I am single and unmarried, and may lawfully contract and be joined in Marriage.

Color or Race W Date of Birth Aug 31 1924
Place of Birth Mo Single Divorced Widowed
City State Check One

(SIGN HERE) Alfred Jackson
Subscribed and sworn to before me this DEC - 5 1956 day of 1956

My Commission Expires Sept. 18, 1960

Robert Kennedy
Notary Public

STATE OF MISSOURI } ss. (AFFIDAVIT OF FEMALE)
County of Jackson

I, the undersigned, do hereby solemnly swear that I am the party of the second part, named in the above application for a marriage license; that I am the age of 30 years, that we are not first cousins, that I am single and unmarried, and may lawfully contract and be joined in Marriage.

Color or Race W Date of Birth Apr 20 1926
Place of Birth Brooklyn Single Divorced Widowed
City State Check One

(SIGN HERE) Neil Markham
Subscribed and sworn to before me this DEC - 5 1956 day of 1956

My Commission Expires Sept. 18, 1960

Robert Kennedy
Notary Public

(Consent of Parent or Guardian to the Marriage of a Minor)

STATE OF MISSOURI } ss. I, the undersigned, do hereby solemnly swear that I am the _____
County of Jackson } of the said party of the _____ part, named in the foregoing application for marriage license, and do hereby give my consent to _____ marriage.

(SIGN HERE) _____

Address _____

Subscribed and sworn to before me this _____ day of _____, 1956.

Exhibit C

Exhibit D

MARRIAGE LICENSE



OFFICE OF
RECORDER OF DEEDS
JACKSON COUNTY, MISSOURI,
AT KANSAS CITY.

STATE OF MISSOURI } SS.
COUNTY OF JACKSON.

This license authorizes any Judge, licensed or ordained Preacher, of the Gospel, who is a citizen of the United States or other person authorized under the laws of this State to solemnize marriage between Clara Jackson of the County of Jackson and State of Mo who is Clara Jackson the age of twenty-one years and Walter Shaw of the County of Mo who is Walter Shaw the age of eighteen years.

Witness my hand, as Recorder, with the seal of office by me affixed, at my office in Kansas City, Missouri, this 19 day of Feb 1953
Jack J. Hight RECORDER.
Walter P. Hume DEPUTY RECORDER.

STATE OF MISSOURI } SS.
COUNTY OF JACKSON.

This is to certify that the undersigned, a Magistrate did in said County and State, on the 19 day of Feb 1953 unite in marriage the above named persons.
Bernard W. Treflow
1830 Main

The person performing the marriage ceremony will please insert after his signature the place of his office, Church, or Residence. This license must be returned to the office of Recorder of Deeds by the person solemnizing the marriage, within sixty days from the issuing thereof.

THIS LICENSE VOID AFTER TEN (10) DAYS FROM DATE OF ISSUANCE.

APPLICATION FOR LICENSE TO MARRY

License Issued by R Date of Male Test 2-16-53 Date of Female Test 2-16-53

STATE OF MISSOURI } ss.
County of Jackson

(AFFIDAVIT OF MALE)

I, Alfred Jackson Address 912 Park
of J.C. City Jackson County Tenn. State

party of the first part, desiring to procure license to marry
Mattie Shaw Address 1314 Holman
of J.C. City Jackson County Tenn. State

party of the second part, do hereby solemnly swear that I am the age of 33 years, that we are not first cousins, that I am single and unmarried, and may lawfully contract and be joined in Marriage.

Color or Race colored Date of Birth Aug 31 1920
Month Day Year

Place of Birth Texas City Jasper State Single Divorced Widowed

(SIGN HERE) Alfred Jackson

Subscribed and sworn to before me this _____ day of _____, 1953

My Commission Expires Sept 14, 1956

Notelle K. Kennedy
Notary Public

STATE OF MISSOURI } ss.
County of Jackson

(AFFIDAVIT OF FEMALE)

I, the undersigned, do hereby solemnly swear that I am the party of the second part, named in the above application for a marriage license; that I am the age of 22 years, that we are not first cousins, that I am single and unmarried, and may lawfully contract and be joined in Marriage.

Color or Race colored Date of Birth Nov 11 1931
Month Day Year

Place of Birth Memphis City Memphis State Single Divorced Widowed

(SIGN HERE) Mattie Shaw

Subscribed and sworn to before me this _____ day of _____, 1953

My Commission Expires Sept 14, 1956

Notelle K. Kennedy
Notary Public

(Consent of Parent or Guardian to the Marriage of a Minor)

STATE OF MISSOURI } ss.
County of Jackson

I, the undersigned, do hereby solemnly swear that I am the _____
of the said party of the _____ part, named in the foregoing application for marriage license, and do hereby give my consent to _____ marriage.

(SIGN HERE) _____

Address _____

Subscribed and sworn to before me this _____ day of _____, 1953

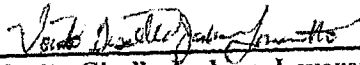
Exhibit E

SEE CONFIDENTIAL INFORMATION

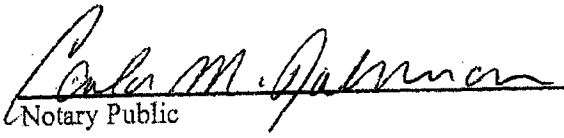
Exhibit F

SEE CONFIDENTIAL INFORMATION

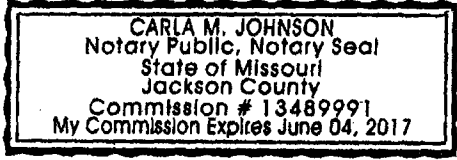
Subscribed and sworn before me this
17th day of June, 2016.



Venita Giselle Jackson Leverette



Notary Public





David R. Crosby
612.335.1627 DIRECT
612.335.1657 DIRECT FAX
david.crosby@stinson.com

June 22, 2016

Via Email

Charles Brown
1100 Main, Ste 1600
Kansas City, MO 64105

Re: Heirship Claim of Venita G. Jackson Leverette

Dear Mr. Brown:

Thank you for submitting the Affidavit of Venita G. Jackson Leverette responding to the Special Administrator's Request for Parentage Information.

With respect to the Protocol adopted by the Court, the Special Administrator's goal is to apply existing Minnesota law equally to all persons claiming to potentially be an heir of the Decedent. Such relevant law includes the Minnesota Probate Code (Minn. Stat. Ch. 524), the Minnesota Parentage Act (Minn. Stat. §§ 257.01 through 257.75) and Minnesota common law.

Under Minnesota law, if it is determined that Decedent is not the father of any living children (or their descendants), then Decedent's siblings and half-siblings (and descendants of any deceased siblings and half-siblings) may be determined to be heirs, in the event no Will is found. Minn. Stat. § 524.2-103(3). To be a sibling or half-sibling, a person must share at least one genetic parent with Decedent. *Id.* Because they were married when Decedent was born, Mattie Della (Shaw) ("Mattie") and John Lewis Nelson ("John") are presumed to be Decedent's genetic parents. Minn. Stat. § 257.55, subd. 1(a).¹ Only a very limited group of persons have standing to challenge that presumption, and, in any event, the time to make such a challenge passed long ago. Minn. Stat. § 257.57, subd. 1(b). As such, there is an irrebuttable presumption that John and Mattie are Decedent's genetic parents. *Id.*; Minn. Stat. § 524.1-201(22) and (23); *see also In re Estate of Jotham*, 722 N.W.2d 447, 455-56 (2006). Thus, to potentially qualify as an heir of Decedent as a sibling or half-sibling, the claimant must be a descendant of either Mattie or John (or both).

Based on the materials submitted by your client, Ms. Jackson Leverette's claim is dependent upon another person other than John being determined to be Decedent's father. But as noted above, the presumption that John is Decedent's genetic father is conclusive and cannot be challenged at this point.

¹ Further, as part of Mattie and John's divorce, a Minnesota court adjudicated that they were Decedent's parents.



Charles Brown
June 22, 2016
Page 2

As such, it is the Special Administrator's determination that the evidence presented by Ms. Jackson Leverette is insufficient to warrant genetic testing.

Very truly yours,

STINSON LEONARD STREET LLP


David R. Crosby

DRC:mp

cc: Laura Krishnan, Esq.