

STATE OF MINNESOTA
CARVER COUNTY

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In Re: Estate of Prince Rogers Nelson,

Case Type: Special Administration
Judge: Kevin W. Eide
Court File No. 10-PR-16-46

Deceased.

**AFFIDAVIT OF
DARCELL GRESHAM JOHNSTON
ALLEGING HEIRSHIP**

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

Darcell Gresham Johnston, being first duly sworn under oath, deposes and states as

follows:

1. My name is Darcell Gresham Johnston.
2. I am making this Affidavit based upon my own personal knowledge.
3. I allege that Prince Rogers Nelson ("PRN") is my natural half-sibling.
4. My father is Loyal James Gresham, Jr.
5. My father had an affair with PRN's mother, Maddie Shaw, in 1957.
6. PRN is the biological son of my father, Loyal James Gresham, Jr. and Maddie Shaw.
7. Loyal James Gresham, Jr. died on November 13, 2006.
8. Loyal James Gresham, Jr. had fourteen biological children that I am aware of. Two of his biological children predeceased him. Three of his biological children died after him. To the best of my knowledge, there are at least 11 living descendants of my deceased siblings. Nine of my father's biological children

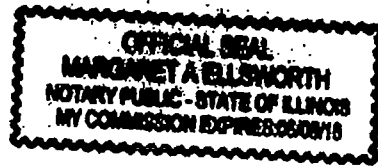
survive.

Further your affiant sayeth naught.

Darcell D. Gresham Johnston
Darcell Gresham Johnston

Subscribed and sworn to before
me this 10th day of June, 2016.

Margaret A. Ellsworth
Notary Public



STATE OF MINNESOTA
CARVER COUNTY

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In Re: Estate of Prince Rogers Nelson,
Deceased.

Case Type: Special Administration
Judge: Kevin W. Eide
Court File No. 10-PR-16-46

**AFFIDAVIT OF DARCELL DESSIE
GRESHAM JOHNSTON RESPONDING TO
THE SPECIAL ADMINISTRATOR'S
REQUEST FOR PARENTAGE
INFORMATION**

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, Darcell Dessie Gresham Johnston, being first duly sworn under oath, deposes and states as follows:

- 1. What is your full name?
 Darcell Dessie Gresham Johnston
- 2. What is your birth date?
 October 14, 1970
- 3. Where were you born?
 Chicago, Illinois

4. Please provide a certified copy of your birth certificate.

5. What are the full names of your biological parents?

FATHER: Loyal James Gresham Jr.

MOTHER: Patsy Lee Russell Gresham

6. Were your biological parents married when you were born? (If yes, answer the subparts below.)

No.

a. When were your parents married?

- b. Where were your parents married?
 - c. What was your biological mother's maiden name?
 - d. Please provide a certified copy of your parents' marriage certificate or other proof of marriage.
 - 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.
7. Were your biological parents married after you were born? (If yes, answer the subparts below.)

Yes.

- a. When were your parents married?
11/26/1970
 - b. Where were your parents married?
Minneapolis, Minnesota
 - c. What was your biological mother's maiden name
Russell
 - d. Did the man who married your biological mother acknowledge his paternity of you in writing filed with a state registrar of vital record?
Yes.
 - e. Was the man who married your biological mother named as your father on your birth record with his consent?
Yes.
-
- f. Was the man who married your biological mother obligated to support you under a written voluntary promise or by court order?
No.
 - g. Please provide a certified copy of your parents' marriage certificate or other proof of marriage.
 - 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.
Yes.
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? (If yes, answer the subparts below.)

No.

- a. What was the date of the attempted marriage?
- b. Where did the attempted marriage take place?
- c. Please provide proof of the attempted marriage.
- 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.

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.

See answer to Question 7.

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.

See answer to Question 7.

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. § 257.75 (copy attached)? If yes, please provide a certified copy of such recognition of parentage.

No.

-
12. Is any other man presumed to be your father under any of the presumptions found in Minn. Stat. § 257.55 (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.

No.

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?

No.

14. Does a judgment or order exist determining a parent and child relationship between you and one or more parents? If so, please provide details and a certified copy of such judgment or order.

No.

15. Detail the actions taken by you to confirm that the responses to the above requests are true and accurate.

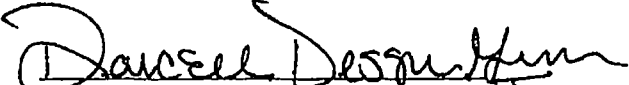
I have made a good faith effort to collect birth and death certificates, marriage licenses and divorce decrees where relevant. I have provided copies, and am able to provide certified copies. I have spoken with my siblings, other relatives, and family friends to complete and confirm my recollections.

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.

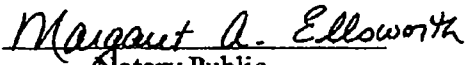
I believe that I am Prince Rogers Nelson's natural half sibling. My father, Loyal James Gresham, Jr. had an affair with Maddie Shaw in 1957. My father told me that he is the father of Prince Rogers Nelson. I was in my 20s. My father told me "Prince could be your sibling.

My father and Maddie Shaw knew each other all their lives. They were close friends. They collaborated musically. They often went to gigs together. They brought their families together often. I know that they saw each other regularly throughout their lives, at least once a year. My father told me that he did not openly acknowledge Prince as his son out of respect for Maddie and her then husband and my father's friend, John Nelson. My father did not want to hurt Maddie or get her "into trouble." Our father sent my sisters Orrine Gresham and Jimmar Sandifer to go to Maddie's funeral and to pay his respects for him, as he was too ill to travel. It is believed that Maddie told Prince that Loyal was his father shortly before she died. Prince visited my father in my father's home after Maddie's death. Prince and Loyal developed a relationship in the years after Maddie's death in February, 2002, which lasted until the death of my father in November, 2006.

Further your affiant sayeth naught.


Darcell Dessie Gresham Johnston *John*

Subscribed and sworn to before
me this 10th day of June, 2016.


Notary Public



CERTIFICATION OF VITAL RECORDS

STATE OF ILLINOIS
County of Cook

DAVID ORR, County Clerk

April 6, 2015

I, David Orr, County Clerk of the County of Cook, in the State aforesaid, and Keeper of the Records and files of said County do hereby certify that the attached is the true and correct copy of the original Record on file, all of which appears from the records and files in my office. IN WITNESS THEREOF, I have hereunto set my hand and affixed the Seal of the County of Cook, at my office in the City of Chicago, in said County.

165
3-6-96
11-20-15
11-20-15

MATCHING ICD		STATE OF ILLINOIS		CHILD'S BIRTH NUMBER	
REGISTRATION DISTRICT NO. 16.10		CERTIFICATE OF LIVE BIRTH			
REGISTERED NUMBER		112-70 651172			
CHILD'S NAME FIRST MIDDLE LAST DARCELL DESSIE GRESHAM		DATE OF BIRTH MONTH DAY YEAR October 14, 1970		HOUR 12:24 A.M.	
SEX Female		MARRIAGE STATUS Single		PLACE OF BIRTH Cook	
CITY, TOWN, VILLAGE OR ROAD DISTRICT NO. Chicago		HOSPITAL Yes		IF NOT IN HOSPITAL, GIVE STREET AND NUMBER St. Joseph Hospital	
MOTHER'S MAIDEN NAME FIRST MIDDLE LAST Patsy Lee Russell		AGE AT TIME OF BIRTH 23		BIRTHPLACE Louisiana	
COUNTY Illinois		CITY Chicago		STREET AND NUMBER 1717 East 74th Street	
MOTHER'S COMPLETE MAILING ADDRESS 1717 East 74th Street Chicago Illinois 60649		FATHER'S NAME FIRST MIDDLE LAST Loyd James Gresham Jr.		AGE AT TIME OF BIRTH 37	
BIRTHPLACE Minnesota		INFORMANT'S SIGNATURE Patsy Lee Russell			
RELATION TO CHILD Mother		I CERTIFY THAT THE ABOVE NAMED CHILD WAS BORN ALIVE AT THE PLACE AND TIME AND OF THE SEX ABOVE		DATE SIGNED MONTH DAY YEAR October 14, 1970	
SIGNATURE Patsy Lee Russell		TELEPHONE NUMBER 25363		ATTENDING PHYSICIAN - M.D., D.D., M.D.M.S. OTHER	
CERTIFIER'S COMPLETE MAILING ADDRESS 200 East 75th Street Chicago Illinois 60619		LOCAL REGISTRAR'S SIGNATURE Mary E. Brown M.D.		DATE FILED BY LOCAL REGISTRAR OCT 19 1970	

3479181



County of Cook
State of Illinois

Office of County Clerk
David Orr

David Orr
DAVID ORR COUNTY CLERK



This copy is not valid unless displaying embossed seals of Cook County and County Clerk signature.

VOID WITHOUT WATERMARK OR IF ALTERED OR ERASED



June 15, 2016

Via Email

Cameron M. Parkhurst, Esq.
Sussman & Parkhurst
222 North Second Street, Suite 300
Minneapolis, MN 55401

Re: Heirship Claim of Darcell Dessie Gresham Johnston

Dear Mr. Parkhurst:

Thank you for submitting the Affidavit of Darcell Dessie Gresham Johnston 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).⁶ 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. Johnston'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. As such, it

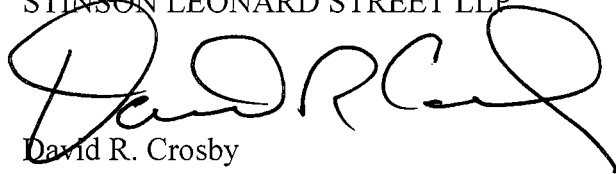
⁶ Further, as part of Mattie and John's divorce, a Minnesota court adjudicated that they were Decedent's parents.

June 15, 2016
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is the Special Administrator's determination that the evidence presented by Darcell Dessie Gresham Johnston is insufficient to warrant genetic testing.

Very truly yours,

STINSON LEONARD STREET LLP

A handwritten signature in black ink, appearing to read "DRC", with a large, stylized flourish extending from the end of the signature.

David R. Crosby

DRC:mp