

6/21/2016 9:04 AM Scanned by Carver County Court Administration

In the Matter of the Estate of Prince Rogers Nelson
First Judicial District
Carver County
Case No. 10-PA-16-46

FILED
JUN 21 2016
CARVER COUNTY COURTS

AFFIDAVIT OF Jonette M. Carter

Under oath, I respond to the questions below as follows:

1. What is your full name? Jonette Martha Carter
2. What is your birth date? 1-2-1957
3. Where were you born? Birmingham, Alabama
4. Please provide a certified copy of your birth certificate. yes
5. What are the full names of your biological parents? Joseph Wilbur Samuels Jr, Martha Lyn Samuels
6. Were your biological parents married when you were born? (If yes, answer the subparts below.) yes
 - a. When were your parents married? March 30, 1956
 - b. Where were your parents married? Summit County, Ohio
 - c. What was your biological mother's maiden name? Martha Lyn Perkins
 - d. Please provide a certified copy of your parents' marriage certificate or other proof of marriage. yes
 - 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. no N/A
7. Were your biological parents married after you were born? (If yes, answer the subparts below.) no
 - a. When were your parents married? N/A
 - b. Where were your parents married? N/A
 - c. What was your biological mother's maiden name? N/A
 - d. Did the man who married your biological mother acknowledge his paternity of you in writing filed with a state registrar of vital records? N/A
 - e. Was the man who married your biological mother named as your father on your birth record with his consent? N/A
 - f. Was the man who married your biological mother obligated to support you under a written voluntary promise or by court order? N/A
 - g. Please provide a certified copy of your parents' marriage certificate or other proof of marriage. N/A
 - 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. N/A

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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? *N/A*

b. Where did the attempted marriage take place? *N/A*

c. Please provide proof of the attempted marriage. *N/A*

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. *N/A*

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. *N/A*

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. *N/A*

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. *N/A*

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. *N/A*

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. *N/A*

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. *yes*

Response: I am a descendant of Virginia Nelson Thompson, the sister of Clarence Nelson, the great grandfather of the Decedent.

Under penalties for perjury, I declare that I have read this document and I know or believe its representations are true and complete.

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Dated: 6/13/2016

By: Jonette M. Carter
Affiant

Jonette M. Carter
Printed Name

State of: Michigan
County of: Macomb

Before me this 13th day of June 2016, Jonette H. Carter appeared before and being sworn,
signed this Affidavit.

SEAL

[Signature]
NOTARY

My Commission expires: Oct 12 2021

EVA SHABO
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires Oct. 12, 2021
Acting in the County of Oakland

Marriage License

NOT VALID After Any Date from Date

The State of Ohio, Summit County

To Any Person Legally Authorized to Solemnize Marriages in the State of Ohio:

I, the undersigned,

Vincent Lurz

Judge of the Probate Court within and for the County and State
aforesaid, have ~~Witnessed~~, and do hereby

License and Authorize

Mr. Joseph Wilbur Samuel, Jr., and

Mrs. Martha Lynn Perkins

to be joined in Marriage.

In Witness Whereof I have hereunto subscribed my name

and affixed the seal of said Court

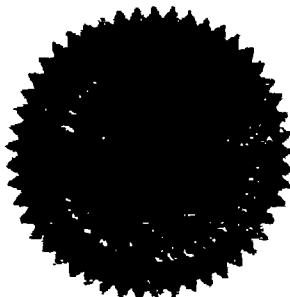
at Union, Ohio, this 28th

day of March, A.D. 1966.

VINCENT LURZ,

Judge of the Probate Court

By: Elizabeth A. Ahlino,
Deputy Clerk



The above marriage was solemnized by me this 30th
day of March 19 66
Rev. Eugene E. Mangrum, Jr.

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**JEFFERSON COUNTY DEPARTMENT OF HEALTH
BUREAU OF HEALTH STATISTICS AND VITAL RECORDS
BIRMINGHAM, ALABAMA**

Certified Extract Of Birth Record

COUNTY FILE NO
01-JC-000361

FILE DATE
JANUARY 14, 1957

STATE FILE NO
101-057-002459

CHILD'S NAME :

JONETTE MARTHAEA SAMUELS

PLACE OF BIRTH :
JEFFERSON COUNTY, ALABAMA

DATE OF BIRTH :
JANUARY 2, 1957

SEX :
FEMALE

MOTHERS MAIDEN NAME : PERKINS, MARTHA
MOTHERS RACE : BLACK

AGE AT BIRTH : 22

FATHERS NAME.....: SAMUELS, JOSEPH WILBUR
FATHERS RACE : BLACK

AGE AT BIRTH : 27

This is to certify that the above is a true and correct extract of information contained in the birth certificate as permanently recorded in the Bureau of Health Statistics and Vital Records, Jefferson County Department of Health, Birmingham, Alabama, and is issued under the provisions of Title 22-9-B State Code of Alabama, 1977.

APRIL 22, 1996

Date Issued

Melba Allmon
Authorized Bureau Clerk

STATE OF ALABAMA
JEFFERSON COUNTY

Felix E. Hartley
Registrar of Vital Statistics



IMPORTANT - This certificate void (a) without the embossed seal of the Health Officer of Jefferson County, Alabama, (b) if it contains evidence of erasures or alterations.

JCDH-HSVR-001-Rev. 6/88

Seal of Health Officer
Jefferson County, Alabama



STINSON
LEONARD
STREET

June 22, 2016

Via Email

Jonette M. Carter
24523 Pierce Street
Southfield, MI 48075
jojosmith57@yahoo.com

Re: Affidavit of Jonette M. Carter

Dear Ms. Carter:

Thank you for submitting the Affidavit of Jonette M. Carter.

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 Prince Rogers Nelson (the "Decedent") in order to accurately identify the Decedent's heirs. 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). Under Minnesota law, if there are heirs of an intestate decedent at the level of sibling or half sibling, then relatives at more distant familial levels (such as cousins) are excluded as heirs to the estate.

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

Jonette M. Carter
June 22, 2016
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The materials you provided under oath do not provide any bases that you are a child, sibling or a half-sibling of the Decedent. Consequently, it is the Special Administrator's determination that the evidence you have presented is insufficient to warrant genetic testing.

Very truly yours,

STINSON LEONARD STREET LLP

A handwritten signature in black ink, appearing to read "David R. Crosby". The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

David R. Crosby

DRC:mp

cc: Laura Krishnan, Esq.