

STATE OF MINNESOTA
IN COURT OF APPEALS

FILED
DEC 05 2016
CARVER COUNTY COURTS

CASE TITLE:

In the Matter of the Estate of:
Prince Rogers Nelson,
Decedent.

STATEMENT OF THE CASE OF
RODNEY HERACHIO DIXON

DISTRICT COURT CASE NUMBER:

10-PR-16-46

APPELLATE COURT CASE NUMBER:

1. Court or agency of case origination and name of presiding judge or hearing officer.

District Court for the First Judicial District, Carver County, Probate Division, The
Honorable Kevin W. Eide presiding

2. Jurisdictional Statement

(A) Appeal from district court.

Statute, rule or other authority authorizing appeal:

Minn. R. Civ. P. 12.08(c).

**Date of entry of judgment or date of service of notice of filing of order from which
appeal is taken:**

August 25, 2016, September 16, 2016, and October 17, 2016.

**Authority fixing time limit for filing notice of appeal (specify applicable rule or
statute):**

Minn. R. Civ. App. P. 104.01, subd. 1.

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Date of filing any motion that tolls appeal time:

October 17, 2016

Date of filing of order deciding tolling motion and date of service of notice of filing:

(B) Certiorari appeal.

Not Applicable.

Statute, rule or other authority authorizing certiorari appeal:

Not Applicable.

Authority fixing time limit for obtaining certiorari review (cite statutory section and date of event triggering appeal time, e.g., mailing of decision, receipt of decision, or receipt of other notice):

Not Applicable.

(C) Other appellate proceedings.

Not Applicable.

Statute, rule or other authority authorizing appellate proceeding:

Copyright Law of the United States of America, Title 17, Section 1338, and 28 U.S. Code Section 1251 – Original Jurisdiction.

Authority fixing time limit for appellate review (cite statutory section and date of event triggering appeal time, e.g., mailing of decision, receipt of decision, or receipt of other notice):

Minn. R. Civ. P. 104.01 subd. 1. / September 16, 2016 and October 24, 2016.

(D) Finality of order or judgment.

September 16, 2016 & October 24, 2016.

Does the judgment or order to be reviewed dispose of all claims by and against all parties, including attorney fees? Yes () No (XX)

If no: The claims against the Estate continues to be a pending action in the Los Angeles Superior Court. Additionally, Federal law holds jurisdiction for Copyright

ownership claims in the event of Los Angeles Superior Court jurisdiction issues. The judgment does dispose of all claims in the Minnesota Probate matter.

Did the district court order entry of a final partial judgment for immediate appeal pursuant to MINN. R. CIV. APP. P. 104.01? Yes (XX) No () or

If yes, provide date of order: September 16, 2016

If no, is the order or judgment appealed from reviewable under any exception to the finality rule? Yes () No (XX)

If yes, cite rule, statute, or other authority authorizing appeal:

Not Applicable.

Has a sentence been imposed or imposition of sentence stayed? Yes () No (XX)

If no, cite statute or rule authorizing interlocutory appeal:

Not Applicable.

3. State type of litigation and designate any statutes at issue.

Claims asserted in Probate Court are pending in Los Angeles Superior Court – Case BC113137. A hearing is scheduled for January 19, 2017 for a Motion for Judgment on the Pleadings. Case was pending before Probate for decedent began.

4. Brief description of claims, defenses, issues litigated, and result below. For criminal cases, specify whether conviction was for a misdemeanor, gross misdemeanor, or felony offense.

A contract claim has been open in Los Angeles Superior Court since the year 1994. Parties agreed to activity that kept the case open. Upon decedents death contracting party filed notice in Probate Court. Special Administrator filed a motion to dismiss claims. However, Minnesota Probate court lacks jurisdiction with Copyright issues reserved for Federal Court and pending issues in Los Angeles reserved for Los Angeles Superior Court. A motion to dismiss with prejudice was Granted in Probate Court. Minnesota Probate court ignored its lack of jurisdiction.

5. List specific issues proposed to be raised on appeal.

Intellectual Property ownership remains under the jurisdiction of the Los Angeles Superior Court and Federal Courts as it relates to a claim pending since the year 1994, prior to the death of decedent. This matter must be resolved in Los Angeles Court and potentially federal court to determine ownership of all intellectual properties in addition to monies owed Mr. Dixon that is larger than the estate is worth.

6. Related appeals.

List all prior or pending appeals arising from the same action as this appeal. If none, so state.

None.

List any known pending appeals in separate actions raising similar issues to this appeal. If none are known, so state.

None

7. Contents of record.

Is a transcript necessary to review the issues on appeal? Yes () No (XX)

If yes, full () or partial () transcript?

No transcript is available.

Has the transcript already been delivered to the parties and filed with the district court administrator? Yes () No (XX)

No transcript is available.

If not, has it been ordered from the court reporter? Yes () No (XX)

No transcript is available.

If a transcript is unavailable, is a statement of the proceedings under Rule 110.03 necessary? Yes () No(XX)

No transcript is available.

8. **Is oral argument requested?** Yes (XX) No ()

If so, is argument requested at a location other than that provided in Rule 134.09, subd. 2? Yes (XX) No ()

If yes, state where argument is requested:
California.

9. **Identify the type of brief to be filed.**

Formal brief under Rule 128.02. ()

Informal brief under Rule 128.01, subd. 1 (must be accompanied by motion to accept unless submitted by claimant for reemployment benefits). (XX)

Trial memoranda, supplemented by a short letter argument, under Rule 128.01, subd. 2. (XX)

Names, addresses, and telephone numbers of attorney for appellant, respondent, and other interested parties.

Attorneys for Bremer Trust, National Association

Laura E. Krishnan (MN 0311698)
David R. Crosby (MN 0237693)
Katherine A. Moerke (MN 0312277)
Elizabeth C. Kramer (MN 0325089)
Natasha A. Robertson (MN 0395590)
Stinson Leonard Street LLP
150 South Fifth Street. Suite 2300

**Attorneys for Norrine Patricia Nelson, Sharon Louise Nelson,
and John Rodger Nelson**

Kenneth J. Abdo (MN 0149585)
Adam P. Gislason (MN 0324176)
Lommen Abdo, P.A.
1000 International Centre
920 Second Avenue South
Minneapolis, MN 55402
Tel: 612-339-8131

Attorneys for Omarr Julius Baker

Steven H. Siltan (MN 0260769)
Thomas P. Kane (MN 0053491)
Cozen O'Connor
33 South Sixth Street, Suite 4640
Minneapolis, MN 55402
Tel: 612-260-9000

Jeffrey Kolodny
Herbert B. Fixler
Cozen O'Connor
277 Park Avenue
New York, NY 10172
Tel: 212-883-4900
Anthony Jones
P.O. Box 27517
Los Angeles, CA 90027-0517

Attorneys for Alfred Frank Alonzo Jackson

Justin A. Bruntjen (MN 0392657)
Bruntjen & Brodin Legal
2915 Wayzata Boulevard
Minneapolis, MN 55405
Tel: 612-242-6313

Frank K. Wheaton
201 Illinois Street, Suite 1600
Indianapolis, IN 46204
Tel: 317-610-3455

Nicholas Granath (MN 0198729)
2915 Wayzata Boulevard
Minneapolis, MN 55405
Tel: 612-210-8460

**Attorneys for Brianna LaShawn Nelson and Jeannine Halloran on behalf of V.N.
(Minor)**

Jennifer Santini (MN 0390487)
Sykora & Santini, PLLP
125 Main Street SE, Suite 339
Minneapolis, MN 55414
Tel: 612-492-1844

Andrew Stoltmann
Celiza Braganca
Stoltmann Law Offices, P.C.
10 South LaSalle Street, Ste 3500
Chicago, IL 60603
Tel: 312-332-4200

Kenneth R. White (MN 0141525)
Law Office of Kenneth R. White
212 Madison Avenue, Suite 200
Mankato, MN 56001
Tel: 507-345-8811

Deanna Besbekos-LaPage
Stoltmann Law Offices, P.C.
600 Hart Road, Suite 115
Barrington, IL 60010
Tel: 312-332-4200

Joanna Sunderland
850 N. Lake Shore Drive, No. 301
Chicago, IL 60611
Tel: 219-201-7580

Attorneys for Venita Jackson-Leverette

James C. Selmer (MN 0171086)
Marc M. Berg (MN 020979x)
J. Selmer Law, P.A.
500 Washington Avenue South, Suite 2010
Minneapolis, MN 55415
Tel: 612-338-6005

Charles R. Brown
Taylor Fields
J. David Bowers
Fields & Brown, LLC
1100 Main, Suite 1600
Kansas City, MO 64105
Tel: 816-474-1700

Attorneys for Carlin Q. Williams

Paul F. Shoemaker (MN 0178226)
Shoemaker & Shoemaker, PLLC
5270 West 84th Street
Bloomington, MN 55437
Tel: 952-224-4605

Patrick S. Cousins
Cousins Law, A.P.A.
319 Clematis Street, Suite 701
West Palm Beach, FL 33401
Tel: 561-835-1727

Attorneys for Estabon Bennermon

Steve A. Brand (MN 0010790)
Denise S. Rahne (MN 0331314)
Robins Kaplan LLP
800 LaSalle Avenue, Suite 2800
Minneapolis, MN 55402
Tel: 612-349-8500

Richard F. Lert
David H. Stein
Wilentz, Goldman & Spitzer, P.A.
90 Woodbridge Ctr. Dr., Ste 900
Woodbridge, NJ 07095
Tel: 732-855-6086

Angela Foster
Law Office of Angela Foster
2906 Birchwood Court
North Brunswick, NJ 08902
Tel: 732-821-9363

Attorneys for Corey D. Simmons

Eric C. Dammeyer (MN 0134375)
Dammeyer Law Firm, P.A.
3800 American Boulevard, Suite 1500
Bloomington, MN 55431
Tel: 952-927-7060

Andrew M. Lehner (MN 388061)
Lehner Law Office, LLC
1069 South Robert Street, Ste 100
West St. Paul, MN 55118
Tel: 651-222-9829

Attorneys for Eighth Day Sound Systems, Inc.

Jeffrey P. Consolo
McDonald Hopkins LLC
600 Superior Avenue, East, Suite 2100
Cleveland, OH 44114
Tel: 216-348-5400

Attorneys for James M. Brandon

Louis C. Senat
The Law Office of Louis C. Senat, PLLC
3600 Red Road, Suite 407
Miramar, FL 33025
Tel: 954-947-6830

Michele L. Romelus
Falcon Legal, PLLC
8362 Pines Boulevard, Suite 251
Pembroke Pines, FL 33024
Tel: 786-752-0707

Attorneys for Tyka Nelson

Holland & Knight LLP
Robert Barton
400 S. Hope Street, 8th Floor
Los Angeles, CA 90071
(213) 896-2400

Pro Se

Ricky Barron I
1505 37th Avenue
North Plymouth, MN 55441
Tel: 612-385-7397

Jonette M. Carter
24523 Pierce Street
Southfield, MI 48075
Tel: 248-220-0321

Norman Yates Carthens
57 Wall Street
Barnwell, SC 29812
Tel: 347-813-3752

Karie Clay
746 North Locust Street
Reedsburg, WI 53959

Michael John Darling
53285 Falcon Avenue
North Rush City, MN 55069

Mia M. Stamper Dragojevich
3521 Meadowview Boulevard
Neshannock, PA 16105

Rev. Dennis W. Earle
100 Limehouse Beach Road
Columbia, SC 29210

Marjorie Lee Frazier
1067 Lake Avenue, Apt. 36
Rochester, NY 14613
Tel: 585-458-7242

Lorraine M. Huddleston
2709 Keating Street
Temple Hills, MD 20748
Tel: 301-899-3105

R. Kerr AIN Solutions Recordings

794 Marietta Street
Atlanta, GA 30377
Tel: 404-940-1648

Maleika S. Mosley aka Gen. Dr. K.K. Ferrara
3350 Bobolink Circle SW
Atlanta, GA 30311

Roskco A. Motes
P.O. Box 2315
North Babylon, NY 11203

Claire Elisabeth Nelson aka Claire Elisabeth Elliott aka Claire Boyd
2801 Washington Road, Suite 107, #339
Augusta, GA 30909
Tel: 706-417-8885

Dana Samuels Nettles
103 Holly Street South
Mobile, AL 36608
Tel: 251-583-9460

Kimberly Felecia Potts
179 Potts Drive
Tallasse, AL 36078

Xavier Powell (No address given)
xap17@hotmail.com

Jack Reuler
Mixed Blood Theatre
1501 South 4th Street
Minneapolis, MN 55454
Tel: 612-338-6131

Martha L. Samuels 1
806 North 8th Avenue
Pensacola, FL 32503
Tel: 850-434-5365

Michael W. Samuels
1806 North 8th Avenue
Pensacola, FL 32503
Tel: 850-434-5365

April Lashaun Seward
129 Enclave Avenue
Calera, AL 35040
Tel: 205-422-5810

Maurice Lee Soledad
1580 State Road
London, OH 43140

Regina L. Jensen Sorenson S
312 Glade Avenue
Spring Valley, WI 54767
Tel: 715-410-4536

Taz Laeni Walker
95 Barry Circle
Bloomfield, CT 06002-1974

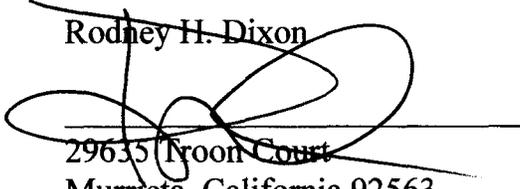
Nicole P. White
490 Myrtle Avenue, #2J
Brooklyn, NY 11205
Tel: 718-717-9709

Priscilla S. Williams
600 Wooddale Boulevard, Apt. 266B
Baton Rouge, LA 70806
Tel: 225-954-2200

James Austin Womack 2310
West McNichols Road
Detroit, MI 48221
Tel: 313-909-9051

DATED: November 7, 2016

~~Rodney H. Dixon~~


~~29635 Troon Court~~
Murrieta, California 92563
Tel: (805) 768-4474
dubailandlegend@yahoo.com

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