

STATE OF MINNESOTA

PROBATE COURT
DISTRICT-COUNTY COURT
PROBATE DIVISION

COUNTY OF CARVER

In Re: Estate of

Court File No. 10-PR-16-46

Prince Rogers Nelson,
Decedent.**OBJECTION TO PETITION FOR FORMAL
ADJUDICATION OF INTESTACY AND
DETERMINATION OF HEIRS AND PETITION
REQUESTING DNA TESTING AND FOR
DETERMINATION OF HEIRS**

Paul F. Shoemaker, as one the attorneys for Petitioner Carlin Q. Williams, does hereby state:

1. Your affiant is a licensed attorney in the state of Minnesota and represents Carlin Q. Williams, an interested person in the above proceeding by reason of his genetic relationship to the Decedent. Carlin Q. Williams is and claims to be a legal heir of the above-named Decedent. The legal name of Petitioner is Carlin Q. Williams. His permanent residence address is 5118 Olive Street, Kansas City, MO 64130. His date of birth is April 8, 1977.

2. On information and belief, Tyka Nelson has or may have filed a Petition for Formal Adjudication of Intestacy, Determination of Heirs and for Appointment of Special Administrator (the "Petition"). The Petition was heard by this Court on May 2, 2016 and relief was granted thereon. Given the publicity attendant to this proceeding, a full review of the contents of the prior filed Petition has not been made in an effort to provide additional security to the Petitioner pending the filing of this pleading and claim.

3. The Petitioner, by and through his attorneys, objects to the probate of the within proceeding and requests a full determination of the heirs of the Decedent for the following reasons:

The Petition is believed to allege that that the Decedent had no surviving issue. The Petitioner Carlin Q. Williams is the biological child of the Decedent and the Decedent is his genetic parent. He further believes he is or may be the sole surviving legal heir of the Decedent. For these reasons, any Petition seeking contrary relief should be denied. The Petitioner claims a parent-child relationship exists and can be established pursuant to Minnesota Statute Section 524.2-117.

4. The Petitioner requests that this Court determine the lawful heirs of the Decedent and enter an order directing that a sample(s) of the Decedent's DNA be secured from verifiable sources and the same be provided to Petitioner for scientific and genetic testing to determine the genetic parentage of the Decedent to Carlin Q. Williams pursuant to said statute.

WHEREFORE, Carlin Q. Williams, by and through his attorneys, petitions for the following relief and requests that the Court:

1. Fix a time and place for a hearing on this Objection and for a determination of the heirs of Decedent;
2. Enter an Order denying probate of any Petition filed by Tyka Nelson that seeks relief that is inconsistent with this Objection and make further Orders to determine the Decedent's heirs;
3. Enter an Order directing Midwest Medical Examiner's office to obtain, secure and/or sequester any and all specimen(s) of the Decedent's DNA that are presently in its' possession and to preserve said specimens for future genetic testing to be conducted in a manner as may be ordered by this Court;
4. Enter an Order directing genetic testing of DNA samples obtained from the Decedent and Petitioner Carlin Q. Williams for purposes of determining the parent-child relationship based on the results of such genetic testing as provided by Minnesota Statute Sec. 524.2-117.
5. Grant such further and other relief as may be proper.

Under penalties for perjury, I declare or affirm that I have read this document and I verily believe its representations are true and complete and are based on sufficient evidence of the truth of the allegations made herein.

May 9, 2016.

/s/Paul F. Shoemaker

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Attorneys for Carlin Q. Williams

ACKNOWLEDGMENT

The undersigned does hereby acknowledge that reasonable attorneys and witness fees, costs and disbursements may be awarded to the party against whom the allegations in this pleading are asserted pursuant to Minnesota Statutes section 549.211 and that the foregoing pleading is signed in accordance with the Minnesota Rules of Civil Procedure as required by Rule 403(d) of the Rules of Practice – District Court, Probate Rules.

SHOEMAKER & SHOEMAKER, PLC

Dated: 5/9, 2016.

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