

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT
PROBATE DIVISION

Case Type: Special Administration

FILED

~~JUN 29~~ 2016

In the Matter of:

CARVER COUNTY COURTS

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,

Decedent,

**ORDER UNSEALING CERTAIN
RECORDS**

and

Tyka Nelson,

Petitioner.

During the pendency of this proceeding, the Court has received for filing a number of documents which have been filed under seal. In other words, access to the public has been denied. The Court and the Special Administrator have received a number of filings from persons claiming to be an heir of the Decedent. Some of those persons claim to be a child of the Decedent. Some of those persons claim to be a sibling, a half-sibling or a more distant relative of the Decedent. Recently, the Special Administrator has filed under seal Affidavits submitted by claimants made as part of a claim to be determined an heir of Price Rogers Nelson and made pursuant to the Court's Protocol Prior to Potential Genetic Testing, as well as the Special Administrator's responsive letters to each claimant. On or about June 17, 2016, the Court received submissions for 15 claimants. On or about June 24, 2016, the Court received submissions for 8 more claimants. The Court has received other filings directly from claimants that may have been filed publicly or may have been sealed based upon their content.

On June 24, 2016, the Court filed an ORDER FOR “CONFIDENTIAL” DESIGNATION, wherein the Court Ordered that all e-filed submissions from parties claiming to be direct descendants or children of Prince Rogers Nelson, shall be identified in MNCIS as “Confidential” pending further order of the Court.

As addressed in the hearing occurring on June 27, 2016, the Court is being asked to determine whether any of the claimants are the children of Prince Rogers Nelson and whether any of the claimants are the father of Prince Rogers Nelson or are a descendent of a father, mother or grandparent of Prince Rogers Nelson.

Minnesota Statute Section 257.70 (a) states:

“Notwithstanding any other law concerning public hearings and records, any hearing or trial held under sections 257.50 to 257.74 [the Minnesota Parentage Act] shall be held in closed court without admittance of any person other than those necessary to the action or proceeding. **All papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in the state Department of Human Services or elsewhere, are subject to inspection only upon consent of the court and all interested persons, or in exceptional cases only upon an order of the court for good cause shown.**” Emphasis added.

The courts in the State of Minnesota have, over the last several years, developed an electronic filing system known as MNCIS. As part of this process, confidential classifications have been developed for documents filed in MNCIS. Those confidentiality rules effectuate rules set forth in state statute, state regulations, Judicial Council policy or the direction of the State Court Administrator.

A party may submit a document for filing with the Court Administrator which may be public but may contain documents or information that are confidential, such as social security numbers, bank account records, genetic testing records, death certificates, or, in some cases, birth records. In such an event, the Court Administrator will accept the document for filing but will require that the confidential information be filed in a separate document which will be recorded as confidential.

Based upon the review of relevant statutes, case law and rules adopted for MNCIS, the Court continues to believe that documents submitted by a claimant in an attempt to be determined the child of Prince Rogers Nelson are confidential and will be sealed by the Court. However, the Court declines to extend the same protection for documents filed by claimants who are claiming that they are a parent, a sibling, a half-sibling or other relative of Prince Rogers Nelson. Those documents will be deemed public and will be filed in MNCIS as public documents, except for attachments, or information contained within the documents, such as social security numbers, bank account records, genetic testing records, death certificates, or, in some cases birth records, which will continue to be considered confidential.

Accordingly, based upon the record, the Court hereby **ORDERS** that:

1. All submissions from parties claiming to be direct descendants or children of Prince Rogers Nelson shall be identified in MNCIS as “Confidential” and shall be sealed pending further order of the Court.

2. All documents filed by claimants who are claiming that they are a parent, a sibling, a half-sibling or other relative of Prince Rogers Nelson will be deemed public and will be filed in MNCIS as public documents except for attachments, or information contained within a document,

such as social security numbers, bank account records, genetic testing records, death certificates, or, in some cases birth records, which will continued to be considered confidential.

3. This Order is stayed until 4:30 pm on July 11, 2016, to allow for comment by parties who have filed documents that may be affected by this Order. The Court reserves the right to further delay the effective date or rescind this Order if the Court is persuaded that it is necessary to do so.

4. Alternatively, parties who have previously filed or served documents with the Court or the Special Administrator that are now filed with the Court may withdraw their Affidavits or submissions prior to 4:30 pm on July 11, 2016. In that event, however, those submissions will no longer be considered by the Court or the Special Administrator.

5. If the Court has not amended this Order and if a party has not withdrawn an Affidavit or submission, the Court shall return to the Special Administrator the submissions filed with the Court on June 17, 2016 and June 24, 2016 with instructions that they may be refiled with the Court as follows:

- i. for submissions or Affidavits relating to parties claiming to be direct descendants or children of Prince Rogers Nelson, with a proposed order sealing the submissions; and
- ii. in the case of all other submissions, that they may be refiled as public documents with any confidential information such as social security numbers, bank account records,

genetic testing records, death certificates, or, in some cases birth records, either redacted or filed separately with an appropriate Confidential Information form.

BY THE COURT:

Dated: June 29, 2016

A handwritten signature in black ink, appearing to read "Kevin W. Eide", written over a horizontal line.

Kevin W. Eide
Judge of District Court