

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In Re: Estate of:

Court File No. 10-PR-16-46

Prince Rogers Nelson,
Deceased.

**FINDINGS OF FACT,
CONCLUSIONS OF LAW &
ORDER RESTRICTING
SUBMISSIONS**

The above entitled matter came on before the Honorable Kevin W. Eide without a hearing after the Court's receipt of various submissions filed by Shawnetta T. Graham. Under prior Court orders, and determinations by the Personal Representative pursuant to Court-approved or statutory procedures, any creditor claims and heirship claim by Ms. Graham against the Estate of Prince Rogers Nelson have been disallowed and denied. In an Order Regarding Submissions filed November 22, 2017, the Court invited Ms. Graham and any other parties to submit written argument regarding (a) whether Ms. Graham currently has standing to submit further claims, motions or requests to the district court; (b) whether the continued submission of claims, motions or requests by Ms. Graham should be considered frivolous litigation; and (c) whether the Court should deem Ms. Graham a frivolous litigant and impose preconditions on her service or filing of any new claims, motions or requests pursuant to Rule 9 of the Minnesota Rules of General Practice for the District Court. Ms. Graham and the parties were given until December 22, 2017 to submit their written arguments.

In response to the Court's Order Regarding Submissions, the Court received and has reviewed the following submissions: (1) Comerica Bank & Trust, N.A.'s Memorandum in Support of Order Imposing Preconditions on Submissions by Shawnetta T. Graham filed December 20, 2017; and (2) Affidavit in Basic Briefing Format: Objecting to Frivolous Litigation and attached Exhibits filed December 21, 2017.

Now, based on the file and proceedings herein, the Court makes the following:

FINDINGS OF FACT

1. The period for submitting creditor claims in this matter expired on September 12, 2016. *See* Minn. Stat. § 524.3-803(a).

2. On June 5, 2017, Ms. Graham filed a “Notice of Objection of Closing of Case 10-PR-16-46 & Notice for consideration to be including in the Probate Process of PRINCE RODER NELSON’S ESTATE.” It is difficult to decipher the precise claims or requests made therein. On June 21, 2017, Ms. Graham filed a “Pro-Se Notice to Request a Hearing & distribution of available Funds,” in which she requested a meeting with the Court or the Personal Representative, a distribution of funds from the Estate, and a visit to Paisley Park.

3. To the extent Ms. Graham’s filings asserted a creditor claim or heirship claim, the Personal Representative responded pursuant to applicable Court-approved and statutory procedures to disallow and deny the claims. On June 28, 2017, the Personal Representative filed and served on Ms. Graham a Notice of Disallowance of Claim, stating that Ms. Graham’s claim in an undisclosed amount, presented on June 5, 2017 and/or June 21, 2017, was disallowed because the claim had no basis in law or fact and was presented after the expiration of the creditors’ claim period. In addition, following receipt of an heirship affidavit by Ms. Graham, the Personal Representative informed Ms. Graham, by letter dated July 11, 2017, that it had determined that she was precluded from being an heir as a matter of law.

4. Within the next two months, Ms. Graham filed the following four documents:

- i. A “Demand for Notice,” including “A statement for late filing with Proof of Service” filed on July 11, 2017;
- ii. A “Pro-Se Notice of Objections to Order file July 29, 2016” filed on August 1, 2017;
- iii. A “Notice to request that Pro-Se (STG) documents are including in the Records on Appeal & have access to seal legal documents” filed on August 1, 2017; and
- iv. “A notice to request a fair determination for funds & privilege to Paisley Park property which is title the Prince Rogers Nelson Estate’s without a motion hearing & this is a request to filed this notice under SEAL” filed on September 11, 2017.

5. None of these filings appear to timely or specifically challenge the disallowance of any creditor claim by Ms. Graham or the denial of Ms. Graham’s heirship claim.

6. On September 12, 2017, the Court issued an Order Denying Graham Motions, which addressed Ms. Graham’s August 1 and September 11 filings. The Court stated that it was denying Ms. Graham’s requests because the time for appealing or seeking reconsideration of the July 29, 2016 order had long since passed, and that there was no basis for granting the requests for access

to documents filed under seal, disbursement of finds, access to Paisley Park, or for filing her submissions under seal.

7. Despite the disallowance of her claims and the denial of her motions, Ms. Graham filed additional documents, including:

- i. A “Notice of Appeal to District Court” along with a “Notice for Discovery: For the Use of Foreign Military Force,” which included a request to file documents under seal, filed on October 3, 2017;
- ii. A “Notice of Objections for the Sale of Gaplin Property” filed November 8, 2017; and
- iii. A “Notice to Request to be the Estate Administrator or be a part of a team” filed November 22, 2017.

8. On October 3, 2017, the Court entered an Order Denying Motion for Filing Under Seal, denying that request in Ms. Graham’s October 3, 2017 filing because it failed to comply with the Court’s previous Order Regarding the Filing of Certain Documents Under Seal.

9. On November 22, 2017, following Ms. Graham’s additional submissions, the Court entered the Order Regarding Submissions, inviting Ms. Graham and other interested parties to provide submissions regarding the issues addressed herein. Even after the Order for Submissions was filed, Ms. Graham continued to file documents with the court, including, on December 1, 2017, an amended exhibit to the “Notice to Request to be the Estate Administrator or be a part of a team.”

10. None of Ms. Grahams numerous submissions provide any legal basis to establish a valid and enforceable creditor claim or heirship claim against the Estate at this time.

11. Ms. Graham’s continuing submissions create unnecessary expense in the administration of the Estate in processing, reviewing and responding to unsubstantiated claims.

CONCLUSIONS OF LAW

1. Having been excluded as a claimant or heir of the Prince Rogers Nelson Estate, Ms. Graham lacks standing to submit further claims, motions or requests in this matter.

2. Ms. Graham’s continuing submissions are frivolous and it is appropriate that the Court impose restrictions on her service or filing of any new claims, motions or requests in order to protect the rights of the other parties and the Estate.

ORDER

1. Future submissions by Ms. Graham shall be deemed frivolous, and need not be addressed by the parties and shall not be addressed by the Court.

BY THE COURT:

Dated: December 22, 2017

Kevin W. Eide
Judge of District Court

NOTICE: A true and correct copy of this Order/Notice has been served by EFS upon the parties. Please be advised that orders/notices sent to attorneys are sent to the lead attorney only.