

STATE OF MINNESOTA
 COUNTY OF CARVER

DISTRICT COURT
 FIRST JUDICIAL DISTRICT
 PROBATE DIVISION

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

Court File No. 10-PR-16-46
 Judge Kevin W. Eide

**ORDER REGARDING HEIRSHIP CLAIM
 OF OGEDA PATRICK**

The above entitled matter came on before the Honorable Kevin W. Eide after the Court's receipt of various submissions filed by Ogeda Patrick. Previously in this matter, Mr. Patrick asserted an heirship claim based on his belief that Prince Rogers Nelson (the "Decedent") is his genetic father, and requested genetic testing. Comerica Bank & Trust, N.A. (the "Personal Representative") informed Mr. Patrick that it had determined that he did not qualify for genetic testing pursuant to the Court-approved Protocol Prior to Potential Genetic Testing (the "Protocol"). (*See* June 6, 2016 Order Approving Protocol). Mr. Patrick then filed two Writs of Mandamus, which appear to renew his heirship claim and request for genetic testing. In response, the Personal Representative filed a Response to Filings by Ogeda Patrick and Request that He Be Excluded as an Heir. A hearing was held on this matter on [•], 2018. Appearances are noted on the record.

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

FINDINGS OF FACT & CONCLUSIONS OF LAW

A. Among other things, the Protocol requires that a party claiming a genetic relationship to the Decedent that may give rise to heirship file an affidavit setting forth the facts that establish the reasonable possibility of the existence of such relationship. (Protocol, ¶ 1.)

B. Mr. Patrick has had multiple opportunities to provide information supporting his assertion that the Decedent is his genetic father. However, Mr. Patrick has not provided facts sufficient to establish the reasonable possibility that the Decedent is his genetic father. For example, Mr. Patrick has not: (a) claimed that he is the child of the Decedent due to the presumption of paternity under the Minnesota Parentage Act; (b) alleged a relationship with the Decedent during his lifetime; or (c) provided an affidavit from his mother indicating that she had a sexual relationship with the Decedent which resulted in Mr. Patrick's conception.

C. Based upon the information provided, Mr. Patrick has not established a *prima facie* showing that he is the child of the Decedent.

ORDER

1. Mr. Patrick is not entitled to genetic testing.
2. Mr. Patrick is excluded as an heir of the Decedent.

Dated: _____, 2018 BY THE COURT:

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.