

CAUSE NO. PR-21-00651-3

IN THE MATTER OF	§	IN THE PROBATE COURT
THE ESTATE OF	§	COURT NO. 3
CHARLEY FRANK PRIDE, Deceased	§	OF DALLAS COUNTY, TEXAS

**WILL CONTEST TO DENY APPLICATION
TO PROBATE WILL AND FOR LETTERS TESTAMENTARY**

TO THE HONORABLE COURT:

Contestant files this *Will Contest to Deny Application to Probate Will and for Letters Testamentary* (the “Contest”) of Charley Frank Pride (“Decedent” or “Charley”) filed by Rozene Pride (hereinafter “Applicant” or “Rozene”), in the above-referenced matter. Contestant requests this Contest be governed by a Level 3 Discovery Control Plan pursuant to Texas Rules of Civil Procedure (“TRCP”) 190; that non-monetary relief declaring the contest valid denying all relief requested by Applicant including that Decedent died intestate; and, that monetary relief including attorneys’ fees be awarded to Contestant per TRCP 47(c)(3).

**I.
BACKGROUND**

1. Decedent Charley Frank Pride was an iconic African-American singer who was inspired by Hank Williams and shattered the color barrier in country and western music. Charley presented himself as a family man with three children, and dedicated husband of 60-years to Ebby Rozene Pride. Charley and Rozene were portrayed by the media as having a “Blissful Marital Life of Over Six Decades” when in fact, bitter disagreements over a Pride family secret were kept silenced for decades protecting Charley’s brand and legacy.

2. Though Charley's initial recordings were promoted without identifying himself as an African-American country singer, Charley achieved unparalleled success in an industry dominated by Caucasian singers. He earned numerous accolades creating an international brand stretching across the USA and overseas. When Charley passed away in December 2020 with a reported net worth of \$40 million dollars, former President George W. Bush and wife Laura publicly expressed their condolences to Rozene and their three children.

3. Charley recorded numerous hit songs, and at one point, was the best-selling RCA recording artist, second only to Elvis Presley. Charley recorded dozens of country and western songs that reached number 1 on the country charts between 1967 and 1987. Charley received Grammy awards for his recordings. He was named Entertainer of the Year by the Country Music Association ("CMA"). He is one of three African-American members of the Grand Ole Opry. In November 2020, Charley received a Lifetime Achievement Award from the CMA. During the CMA award ceremony, Charley performed his signature crossover hit from the 1970s "Kiss an Angel Good Morning" with new African-American country recording artist Jimmie Allen.

4. Charley's brand created many business opportunities for his family and handlers. He created trust funds for his parents and Rozene's parents. Charley and Rozene's children have worked for Charley's related businesses, or in the music industry with Charley's support. Charley owns, or has owned numerous interests in various assets. Some include hundreds of acres of land in Collin County, Texas a twenty-two thousand square foot Dallas office building, duplexes, the Charley Pride Theater in Branson, MO, multiple residential properties in Dallas, TX, music publishing companies, commercial real estate in Nashville, TN, and interests in several companies. Charley was a minority owner of the Texas

Rangers baseball club. The Rangers recently named their spring training field in Surprise, AZ after Charley, and now award Ranger internships in his name. Charley was the principal shareholder and owner of First Texas Bank of Dallas where Jerry Lastelick, Esq. (hereinafter "Lastelick") served as Chairman of First Texas. Charley reportedly owned fifty percent (50%) of the bank at the time of its reported \$35 million dollar sale.

5. Charley Pride however, had challenges. Beginning in 1968, Charley acknowledged his mental health issues. He suffered from delusions, panic attacks and manic depression. Charley was admitted to mental health facilities for psychiatric treatment. Charley described his "highs" as more extreme than his "lows" relying on Rozene to recognize and advise him when his symptoms occurred. She once overruled a physician's recommendation and demanded Charley be hospitalized and see "the best doctor in Dallas to treat a manic." Rozene also influenced Charley's finances. When asked in the 1990s if his fortune was worth \$75 million dollars, Charley deferred to Rozene as knowing his financial information. Rozene influenced and/or controlled Charley's decisions for decades on various issues like money, family and medical condition(s). Charley admitted that Rozene "can be very persuasive" after witnessing her influence.

6. Rozene was a fiduciary to Charley, or "Pride" as she called him, wearing many hats in their relationship. She is his wife, business partner, health care watchdog, Independent Executor of Charley's Will and Estate, and Trustee of the Pride Living Trust dated August 6, 2020. Rozene and her sister Hortense Ransom were intimately involved in Charley's business interests for decades before his death. Hortense operated various offices of Charley, and at times handled his money. Rozene and Hortense served as members, managers and/or officers of multiple Charley Pride related companies.

7. Charley and Rozene's children Kraig (known professionally as Carlton), Dion and Angela have personally, professionally and financially benefited from their father. Dion and Carlton have been involved in the music industry for decades. Dion and Carlton are often touted as sons of Charley Pride using their father's legacy in the industry. For example, on May 15, 2021, Dion performed a tribute to Charley Pride along with former Lastelick client and country singer Janie Fricke. Dion has recorded and released versions of some of his father's biggest hits. Dion created a company named Songs of Pride, LLC and owns the website dionpride.com. Carlton performed as a part of Zion at SXSW, released multiple albums, and has produced reggae and funk. With Charley's assistance, Carlton's reggae group was the first to ever perform at the Grand Ole Opry, with Charley onstage watching.

8. Charley, Rozene, Hortense and Lastelick dubbed themselves the "Big Four" each personally, professionally and financially invested in Charley's brand and success. Lastelick was Charley's business partner and lawyer for approximately 50-years. The Big Four influenced and controlled many decisions in Charley's life, particularly financial ones. Charley acknowledged the Big Four's influence noting he could not make a decision until "he has heard out the Big Four." Various business entities were formed advancing the Big Four's interests. At the time of his death, some of the Charley Pride related companies that one or more of the Big Four had interests in were: Roz Tense Music Publishing Company LLC; Music City Records LLC; CECCA Productions, Inc where each of the Big Four serve as Directors and officers; CECCA Asset Management LLC; CECCA Ltd; and, CECCA Management LLC. CECCA is an acronym from the names of Charley, his wife and their three children.

9. However, the Big Four had a secret. A secret the Big Four kept for more than 40 years. A secret that Charley believed threatened his brand and reputation. A secret that angered Rozene making Charley fearful of her wrath causing severe strain in their marriage.

A secret that caused Charley to try and keep the peace at home. A secret that Rozene did not reference in the publicly filed Application and Will, instead hiding it in the unfiled extrinsic document referenced in the Will, the Pride Living Trust. A secret the Big Four never publicly disclosed to country and western fans such as former President Bush, media outlets, film maker Ken Burns, PBS 2019 American Masters series "I'm Just Me", the Grand Ole Opry, the CMA or anyone else that could impact Charley's commercial brand. Rozene controlled Charley's funeral and burial plans ensuring the "secret" would not be publicly known. A secret so important for the Big Four to hide, it was easier for Charley and Rozene to publicly admit Charley's battles with his mental health illness revealed in his 1994 book than to publicly acknowledge the real secret. A secret that has done nothing to warrant Rozene's contempt and influence over Charley's inherent feelings and desires about it.

10. The secret, is Tyler Pride (hereinafter "Tyler").

11. Tyler is Charley's third son born in 1979 at a time when famous Black men did not have extramarital affairs and children with young white women. Tyler is approximately 20-years younger than his siblings Dion, Carlton and Angela whom Tyler has never met. Charley adored his son Tyler (see **Exhibits A and B** attached hereto). When Tyler was a baby, Charley sang to Tyler and his mother when onstage performing. Charley told Tyler he and his mother planned Tyler's birth, and he intended on treating him like his other three children.

12. Charley and Tyler's mother's relationship endured for many years. For example, they would travel to various locations together coordinating their schedules to be with each other. When Charley was at home in Dallas, he would split time between Tyler's residence, also in Dallas, and the Dallas residence where Charley and Rozene lived. Tyler and his mother inspired Charley touring and performing some of his biggest hits such as "Kiss an

Angel Good Morning.” However, after Rozene learned of Tyler and his mother’s existence, Charley and Tyler’s lives changed. Tyler’s mother moved from Dallas to East Texas though Charley kept in contact with Tyler and his mother.

13. Tyler did not attend a premier private all boys school growing up like his brothers Carlton and Dion did attending Dallas Jesuit. At times, Tyler would be forced to collect aluminum cans just to have money to eat. However, Tyler cherished his limited time with his dad, frequently asking why he could not see him regularly. Charley advised the situation was complicated with too many people involved, and he was trying to keep the peace at home (with Rozene). Tyler would talk on the phone or text with Charley. He met Charley at restaurants, and even at the Big Four’s attorney office of Lastelick (see **Exhibit C**).

14. When Tyler was 13, Rozene and the Big Four still viewed Tyler as a threat to the brand, the Pride family and its finances. Therefore, a decision was made for Charley to formally contest Tyler’s paternity in 1992 after Tyler’s mother requested financial assistance. Despite scientific testing showing Charley was unequivocally Tyler’s father, the Big Four members still urged Charley to challenge Tyler’s paternity in court. Clearly, Rozene did not approve of her community property funds being provided to Tyler, or Tyler receiving any of Charley’s time, love or support that her three children received. Rozene and the Big Four could afford to have any lawyer threaten, harass, or bring financial pressure against Tyler and his mother to discourage Tyler’s relationship with Charley. After several days of East Texas court hearings with Big Four attorney Lastelick participating as one of Charley’s legal counsel, Charley was legally declared to be Tyler’s father. A *Final Decree in a Paternity Suit* (the “Order”) was entered in the East Texas state court in 1992. Charley was ordered to pay child support. Despite the unsuccessful attack on Tyler, Charley still desired a photo with Tyler after the judicial proceedings (see **Exhibit D** attached). After the 1992 Order, the Big

Four still refused to publicly acknowledge Tyler's existence in Charley's 1994 book written with Jim Henderson. This concealment aided preserving Charley's image and business opportunities, and Rozene and Charley's façade of a blissful marriage and family.

15. In spite of Rozene and Charley's handlers' attempts to control Charley, and that Charley's legal obligation to Tyler terminated at age 18, there is no question Charley loved his son Tyler, and intended to provide for Tyler and his family's welfare as Charley would slip away continuing his relationship with Tyler. When Tyler could drive, Charley bought him a truck. When Tyler went to college, Charley helped pay for Tyler's schooling. When Tyler moved back to Texas after college, Charley bought him a modest house because Charley advised he bought his other three children houses. Tyler considered a singing career since he is blessed with Charley's rich baritone voice. Charley discouraged Tyler from such a career and suggested he choose a different career path.

16. Today Tyler is married with three children ages 4, 10 and 13. One of his children is autistic. Another child is an adopted foster child with pre-existing medical issues. Tyler and his wife serve as foster parents because of their love of children, and Tyler's appreciation of a father's impact on a child having been without Charley frequently.

17. Tyler is a dedicated public servant employed as a police officer in East Texas. Charley encouraged Tyler to pursue this profession since there were police officers in the Pride family. When Tyler applied for the police force, he was required to identify all known relatives for background check purposes. Tyler contacted his dad as he did not know anyone's phone number or address in the Pride family except his father. Charley gave Tyler contact information for other Pride family members. The police force later reached out to Charley regarding Tyler. Charley gave Tyler a glowing recommendation that police force personnel still recall. However, when the same police force contacted Charley's other son

Dion regarding Tyler, Dion reacted negatively like his mother Rozene, angered for being contacted regarding Tyler Pride.

18. In 2019, Rozene learned Charley planned to upgrade Tyler's residence and/or buy him a new home to meet the needs of Tyler's growing family. In response, Rozene declared Tyler gets nothing else after this home despite Charley's desire to provide for Tyler and his grandchildren. Charley met Tyler's children saying one of his favorite experiences was being a "Pappa" to his grandkids despite the conflict it caused with Rozene. Charley advised he would have "hell to pay" from Rozene for visiting Tyler and his grandkids. Charley was also concerned Rozene may attempt to take Tyler's home away interfering with his decision to treat Tyler like his other three children. Therefore, when Charley bought Tyler a home in late December 2019, he caused the deed to be titled in Tyler and his wife's name. Only a few months after Rozene's declaration that Tyler receive nothing further from Charley, she unduly influenced Charley in making his Will desiring to control monetary decisions. Rozene's fixation and control over money is well known. Rozene served as a trustee over certain trusts that her son Dion was a beneficiary of, and she utilized a power of attorney over Dion's financial affairs starting when he was approximately 19 years old. A 2011 dispute between Dion, aged 49 at the time, and his mother Rozene occurred regarding her handling of Dion's financial affairs. Rozene noted Dion was employed by CECCA Productions in the lawsuit Dion was forced to file against Rozene simply to learn her actions as his attorney in fact and/or trustee. Specifically, Dion desired knowing from Rozene "what his attorney-in-fact has done" and "be required to make full disclosure about what she did with her principal's funds". In response, Rozene publicly characterized her son Dion as a ne'er do well and extortionist, but also disclosed that over \$980,000 managed by Rozene was used "for his benefit or distributed to him" between 1997 and 2011.

19. Despite Charley's illness for several weeks prior to his passing on December 12, 2020, Charley's handlers posted a social media video of Charley on December 8. In the video, Charley promoted his website and on-line store hawking his original RCA records for sale. However, during this time Tyler was not told by the Big Four of his father's serious illness or given a chance to see or visit his dad before he passed. When Charley died, the Big Four did not even attempt to contact Tyler advising his father had passed away.

20. After learning of Charley's death, Tyler contacted Big Four member Lastelick regarding logistics of Charley's funeral and burial. Lastelick claimed he did not know any of Charley's funeral and burial arrangements. Tyler contacted Rozene through Pride family members asking for information on his dad's funeral, and permission to attend. Rozene refused to allow Tyler attend the funeral, and did not disclose the location of Charley's burial continuing her control over Charley and Tyler. Rozene cruelly denied Charley's son Tyler, and Tyler's children, the chance to pay their respects and grieve at Charley's funeral and burial.

21. Shortly after Charley's death, Lastelick advised the 2013 residence Charley bought Tyler must be sold and proceeds given to Rozene due to Tyler's "non-payment". However, in 2013 Charley and Lastelick originally told Tyler the residence was a gift and he never needed to make a payment on any mortgage or property tax. Relying on Lastelick and Charley, Tyler never paid any alleged mortgage or property tax. During this time, neither Lastelick or Charley indicated Tyler owed anything, or that the modest house was not a gift. Lastelick's communications after Charley's death appear as another attempt by Rozene to undermine and/or control Charley's wishes.

22. Dallas attorney Kenneth Sloan (hereinafter "Sloan") of Sloan & Roberts, PLLC filed Rozene's Application to Probate Charley Frank Pride's Last Will and Testament. Prior

to Sloan preparing Charley's August 6, 2020 executed Will, but after Rozene's demand for Charley not to provide for Tyler further, Sloan formed two Charley Pride related companies in December 2019. Sloan formed Chardon Properties, LLC and CECCA Properties, LLC. Charley Pride, Rozene Pride and Hortense Ransom served as managers of these two entities. Sloan serves as the registered agent for these two newly created companies. Sloan has, or should have, knowledge of all circumstances and influence on Charley's testamentary wishes and his estate.

23. The Big Four knew Charley was Tyler's father, and that Charley had other grandchildren. Rozene and the Big Four were all aware Charley provided Tyler love and financial support when he was alive, but tried to ensure he did not do so after Charley's death. Charley was vulnerable to the Big Four and particularly to Rozene's influence over a long period of time. Rozene attempted, and most often succeeded, to control and influence Charley's decisions related to Tyler Pride. Rozene, as Charley's business partner and spouse, Independent Executor of Charley's Will, Trustee of the Pride Family Trust and likely beneficiary of such Trust, is presumed to have unduly influenced Charley in the making and execution of Charley's Will (and all prior Wills of Charley Pride). See *Spillman v. Estate of Spillman*, 587 S.W. 2d 170, 172 (Tex. App.- Dallas 1979, writ ref'd n.r.e.); *Price v. Taliaferro*, 254 S.W. 2d 157, 163 (Tex. App.- Fort Worth, 1952, writ ref'd n.r.e.). Rozene Pride's fiduciary relationship with Charley Pride thus shifts the legal burden to Rozene as Applicant to rebut the presumption of her persuasion and control by producing evidence showing an absence of undue influence over Charley. While the decades of undue influence have not been fully discovered, Applicant Rozene's control over Charley resulted in Tyler not being provided for in Charley's Will and Trust as Charley indicated he would be. Charley's medical conditions including heart ailments, likely made Charley more vulnerable to persuasion and control,

and not having the testamentary capacity to effectuate a Will, or legal ability to execute a contractual Trust, right of survivor accounts, and participate in transactions involving Charley's assets. As a consequence, Tyler Pride has been denied his father's name, love, guidance and promise that Tyler would be treated like his father's other three children with Rozene.

II. CLAIMS

24. Tyler adopts paragraphs 1 through 23 as if fully stated herein. Tyler is the son of the Decedent as judicially determined in 1992. Charley Pride lived a double life spending time with his son Tyler attempting to conceal it from Applicant and/or other Big Four members. Decedent promised Tyler that he would treat him like his other children with Rozene as his actions showed long after Charley's legal obligation to support Tyler through age 18 ended. Decedent's purported Will was executed on August 6, 2020, just months after his confrontation with Rozene over Tyler, and shortly before his December 12, 2020 death. Decedent was subjected to undue influence, persuasion and manipulation for decades taking advantage of his health issues, fear of damaging his brand and conflict with his spouse arising *inter alia*, from his son Tyler Pride.

25. Decedent was persuaded by Applicant and others tracking Decedent's finances structuring Decedent's assets so as to preclude distribution according to Decedent's wishes in a manner to exclude Tyler, like Tyler was excluded from Decedent's funeral and burial. Tyler has requested information regarding his rights to inherit from his father Charley Pride. Applicant has refused to disclose a full and complete version of Charley's Will and referenced Pride Family Trust, and Decedent's assets that are in the probate and non-

probate that Tyler possesses an interest in since no valid Will free from decades of undue influence exists.

26. Tyler adopts paragraphs 1 through 25 as if fully stated herein. Based on the foregoing, Contestant asserts Decedent's Will to be VOID and should be denied admission into probate, requests no letters testamentary be issued to Applicant and that all documents executed by Decedent that in anyway limits Contestant's ownership based upon the death of Decedent found void based on undue influence exerted over Decedent, and lack of testamentary capacity due to medical issues including Decedent's mental health.

27. **REQUIRED DISCLOSURES:** Contestant requests Applicant to produce all relevant documents relating to Decedent's financial estate to determine the accuracy of the alleged application's probate estate listed in the Application, all relevant documents supporting Applicant's claims and defenses including Applicant's burden to negate no undue influence over Decedent's Will, and all other responses to Texas Rule of Civil Procedure ("TRCP") 194 effective January 1, 2021.

28. Pursuant to Tex. Est. Code Section 55.02, and TRCP 216 (a), Contestant Tyler Pride requests a jury trial and is paying a jury fee upon the filing of this contest.

PRAYER

WHEREFORE PREMISES CONSIDERED, Contestant prays to the Court to enters orders and/or judgment as follows:

1. Deny Probate of Applicant's Last Will and Trust of Charley Pride dated August 6, 2020 declaring Decedent to have died intestate;
2. Deny issuance of Letters Testamentary to Applicant Rozene Pride;

3. Order disclosure of all assets owned by Decedent include Partnership, Corporations, Trusts or any other business interests.

4. That Contestant has brought and maintained this action in good faith and with just cause, and award Contestant all reasonable and necessary legal fees and expenses pursuant to law including section 352.052 of the Tex. Est. Code;

5. Appoint a third party to administer the assets of Decedent; and,

6. Award such other and further relief, as Contestant Tyler Pride may show himself justly entitled.

Respectfully submitted,

THE COLLINS LAW GROUP

By: /s/ Michael J. Collins
MICHAEL J. COLLINS
State Bar No. 04614500
Campbell Centre I, Suite 950
8350 N. Central Expressway
Dallas, TX 75206
mcollins@cblegal.com
(214) 379-0950 Telephone
(214) 379-0951 Facsimile
Counsel for Contestant Tyler Pride

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of this pleading has been forwarded to all attorneys of record in accordance with the Texas Rules of Civil Procedure on the 20th day of May, 2021.

ken@sloanandroberts.com
Kenneth W. Sloan
Sloan & Roberts, PLLC
5151 Belt Line Rd., Suite 1050
Dallas, TX 75254

/s/ Michael J. Collins
MICHAEL J. COLLINS



EXHIBIT "A"



EXHIBIT "B"

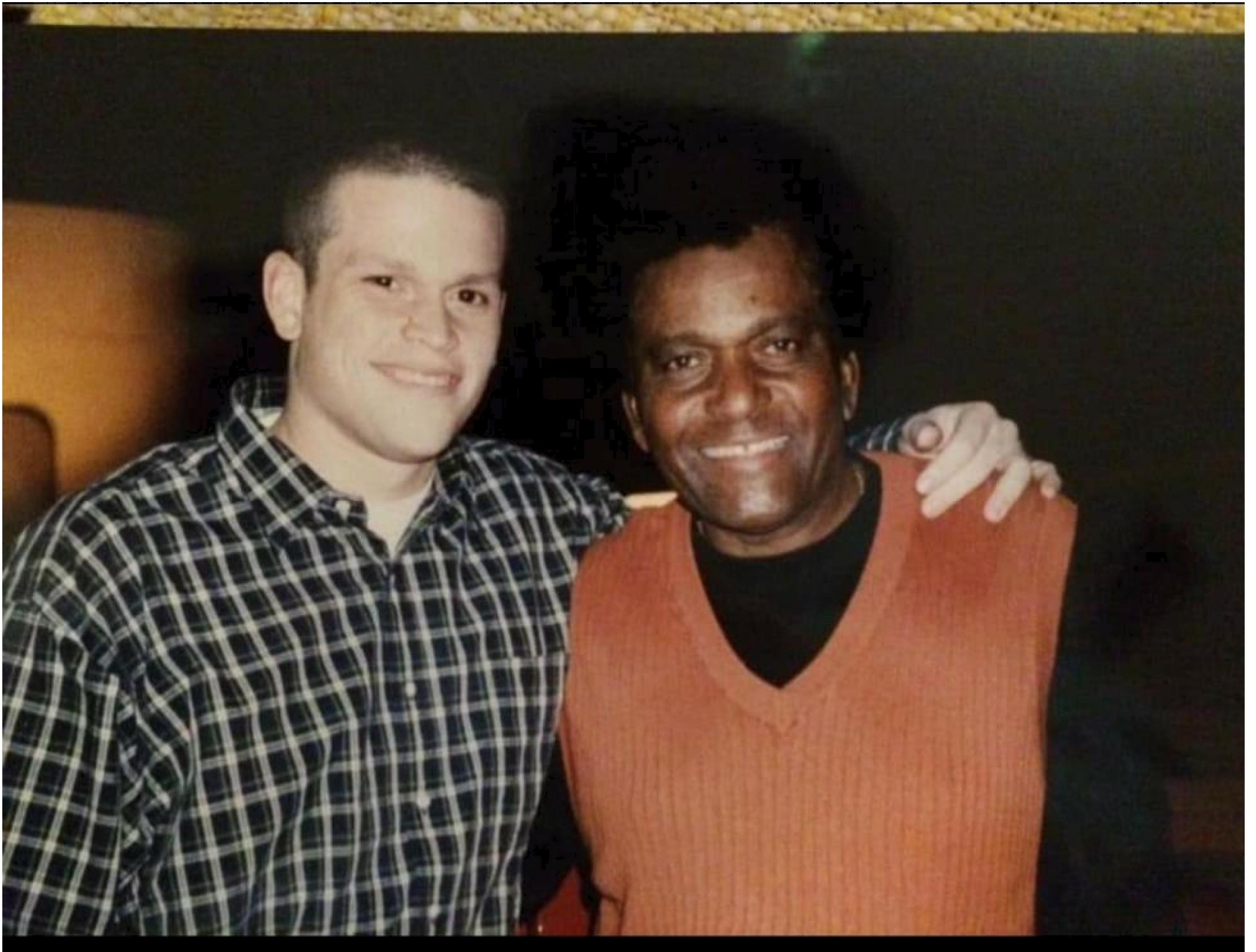


EXHIBIT "C"



EXHIBIT "D"

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Deborah Jordan on behalf of Michael Collins
Bar No. 4614500
deb@cblegal.com
Envelope ID: 53646469
Status as of 5/21/2021 1:21 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Michael JCollins		mcollins@cblegal.com	5/20/2021 1:29:27 PM	SENT
Kenneth Sloan	24121130	kenneth.s.sloan@gmail.com	5/20/2021 1:29:27 PM	SENT
Kenneth W. Sloan	18506020	ken@sloanandroberts.com	5/20/2021 1:29:27 PM	SENT