

Dying to Go to Court

By Reg P. Wydeven

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When I was a kid, I loved watching ‘Days of Our Lives.’ My mom’s best friend watched the soap opera, too, and we loved comparing notes and sharing theories about plotlines.

The character we loved to hate was Stefano DiMera. Named the ‘All-Time Best Villain’ by ‘Soap Opera Digest,’ DiMera made it his mission to destroy the lives of the beloved Brady family. He terrorized the citizens of Salem, relentlessly pursuing the love of his life, Dr. Marlena Evans, the wife of John Black, his longtime nemesis.

DiMera was famous for faking his own death. He was nicknamed The Phoenix because he routinely rose from the dead to hatch new plots of revenge against his enemies. He came back to life at least a dozen times after seemingly perishing from a stroke, drowning after his car plunged into the icy Salem harbor, a cave-in, a car explosion, a plane crash, and being shot on multiple occasions. It seems you can’t keep a good bad guy down.

As we have seen many times over the years, life has a way of imitating art.

In 1986, Donald E. Miller, Jr., lived in Ohio with his wife and daughters. After drowning in debt, he abandoned his family. He went completely off the grid and no one had any clue where he went. He sent no child or spousal support to his family either.

In 1994, Miller was estimated to owe his family about \$25,000. Knowing she would never see it, his wife, Robin, asked the State of Ohio to declare him as legally dead. If Miller was deceased, his family would be entitled to receive about \$30,000 of Social Security death benefits. The court agreed, and declared Miller really most sincerely dead.

Like sands through the hourglass, time went on. In 2005, however, Miller reappeared and applied for a driver’s license. For all of our safety, thankfully there is a law that precludes issuing driver’s licenses to deceased people. So Miller went back to court to ask that the judge decide that he’s alive and kicking.

If Miller was declared to be alive, his problems would be solved. Life would again get complicated for Robin, however. If Miller never died, she would not be entitled to the Social Security payment and would have to pay it back, plus interest. In addition, after being deemed a widow, Robin remarried (strangely enough, to another man named Miller). If Donald was alive, she would be a bigamist.

While she held no ill will toward Miller, Robin had no choice but to oppose the judge finding that he was still alive. And despite overwhelming evidence to the contrary, Probate Judge Allan H. Davis agreed and refused to allow Miller to be back among the living. It wasn’t a matter of the judge feeling sorry for Robin; under Ohio law, a deceased person only has three years to challenge the declaration that he or she is deceased. Because that window had long since closed, the court had no choice but to make Miller stay dead.

Instead of going on an awesome crime spree because you can’t send a dead man to jail, Miller instead petitioned the U.S. Social Security Administration to assign him a new number so he could get a driver’s license and a job. His request was granted, but as a result, the SSA pursued Robin to return the death benefit. Thankfully they later dropped the issue.

You might say Miller redefined what it means to be a deadbeat dad.

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