

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. 0070112833
Court File No. 07-CR-26-589

State of Minnesota,

Plaintiff,

vs.

ELI L HERSHBERGER DOB: 11/01/1980

1038 6th Street
Westbrook, MN 56183-9589

Defendant.

COMPLAINT

Order of Detention

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Threats of Violence-Reckless Disregard Risk

Minnesota Statute: 609.713.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 02/12/2026

Control #(ICR#): 26004457

Charge Description: On or about February 12, 2026, in the County of Blue Earth, Minnesota, Eli L Hershberger, did, threaten, directly or indirectly, to commit any crime of violence with purpose to terrorize another, or in a reckless disregard of the risk of causing such terror.

COUNT II

Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance

Minnesota Statute: 169A.20.1(2), with reference to: 169A.24.1

Maximum Sentence: 7 years or \$14,000 fine or both.

Offense Level: Felony

Offense Date (on or about): 02/12/2026

Control #(ICR#): 26004457

Charge Description: On or about February 12, 2026, in the County of Blue Earth, Minnesota, Eli L Hershberger, did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of a controlled substance, and the violation was committed within ten years of the first of three or more qualified driving incidents or he/she has previously been convicted of felony D.W.I.

STATEMENT OF PROBABLE CAUSE

On February 12, 2026, at approximately 5:22 PM, dispatch received a call from security at a local mall in the City of Mankato. It was reported that two males had jumped over the railing of the carousel. A mall employee, Victim 1, asked the males to leave and one of the males threatened Victim 1 with a gun. It was reported that the two males left the mall in a Chevrolet Colorado pickup. It would later be determined that the male who threatened Victim 1 was Eli L. Hershberger.

Ofc. Brianna Wagner, with Mankato Department of Public Safety, responded to the mall and spoke with Victim 1. Victim 1 stated that just before 5:00 PM, two adult men (Hershberger and another man) jumped the fence around the carousel and Hershberger jumped on one of the horses. Victim 1 stated that Hershberger was being loud and obnoxious. Victim 1 stated she was concerned that Hershberger was going to damage the carousel.

Victim 1 told Hershberger that it would cost him two dollars to ride the carousel. Hershberger became verbally confrontational with Victim 1 and demanded that Victim 1 turn on the carousel. Hershberger then exited the carousel while arguing with Victim 1 about the cost of the ride. Victim 1 stated that she repeated to Hershberger that the ride costs two dollars.

Victim 1 stated that Hershberger then grabbed at his hat and tensed his muscles, particularly his arms. Hershberger then told Victim 1 that he would punch her. Victim 1 stated she continued to loudly state that the ride costs two dollars. Hershberger turned toward another male, later identified as Witness 1, and stated to him, "go get my gun, I'm gonna shoot her." Victim 1 stated she was shocked and scared by this threat.

Hershberger and the other male then walked toward another store in the mall. That store was able to provide photographs to law enforcement of Hershberger. Loss prevention at the store stated that during their interactions with Hershberger, it appeared that Hershberger was under the influence of a controlled substance as his behavior was so erratic and inconsistent.

A short time later, Deputy Nicholas Lewis, with the Blue Earth County Sheriff's Office, advised that he had located the Chevrolet Colorado pickup being driven by Hershberger. Ofc. Wagner went to the scene and noted that Hershberger and another individual were sitting in the vehicle and the vehicle was still running.

Ofc. Wagner spoke with Hershberger, informing him that they were investigating an incident that had just occurred the mall. Hershberger initially stated he did not know what Ofc. Wagner was talking about but would later admit to threatening Victim 1.

While Ofc. Wagner was dealing with Hershberger she noted several indicators of impairment. These indicators included: repeatedly licking his lips, tensing and relaxing his muscles (noticeably his jaw muscles), constantly moving and fidgeting, mood swings from calm and cooperative to angry and erratic, unsteady balance and swaying, talking a high rate of speed, rambling while being unable to maintain a clear and cohesive train of thought. Based on her training and experience, Officer Wegner believed these behaviors to be consistent with a person under the influence of controlled substance.

Ofc. Wagner transported Hershberger to the Blue Earth County jail to attempt to conduct field sobriety tests. Prior to being transported, Hershberger told Officer Wegner that he takes Adderall and Suboxone and that he had just smoked marijuana.

While at the jail, Hershberger was not cooperative in performing field sobriety tests. Ultimately Ofc. Wagner

drafted a search warrant requesting blood or urine from Hershberger. The search warrant was reviewed and signed by a judge of the Fifth Judicial District. Ofc. Wagner took Hershberger to the hospital where a sample of his blood was taken. The sample will be forwarded to the BCA for analysis.

A check of Hershberger's criminal history shows three prior DWI convictions. Two of the convictions are from Wabasha County Minnesota, both of these convictions are from June 12, 2024 in file numbers 79-CR-23-723 and 79-CR-23-850. The third DWI conviction is from Chickasaw County, Iowa from March 2, 2020, from case 01191 FECR012164.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Jeff Knutson
Sergeant
710 S Front St
Mankato, MN 56001-3803
Badge: 3148

Electronically Signed:
02/13/2026 11:35 AM
Blue Earth County, Minnesota

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Michael Hanson
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
02/13/2026 10:25 AM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

☐ SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear as directed in the Notice of Hearing before the above-named court to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

☐ WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

☒ ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$

Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: February 13, 2026.

Judicial Officer

Greg Anderson
District Court Judge

Electronically Signed: 02/13/2026 02:28 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

COUNTY OF BLUE EARTH
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

Eli L Hershberger

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent: