

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. 0070112786
Court File No. 07-CR-26-494

State of Minnesota,

Plaintiff,

vs.

DAVARIAN JAVELLE CLARK DOB: 02/09/1990

819 19th Street Ne
Rochester, MN 55906-4274

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: Drugs - 5th Degree - Possess Schedule 1,2,3,4 or paraphernalia residual - Not cannabis/hemp

Minnesota Statute: 152.025.2(a)(1), with reference to: 152.025.4(b)

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

Offense Level: Felony

Offense Date (on or about): 02/05/2026

Control #(ICR#): 26003675

Charge Description: On or about February 5, 2026, in the County of Blue Earth, Minnesota, Davarian Javelle Clark, did unlawfully possess one or more mixtures containing a controlled substance classified in schedule I, II, III, or IV, except cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products or a residual amount of one or more mixtures of controlled substances contained in drug paraphernalia, and the mixture does not include any amount of a controlled substance in a fluid used in a water pipe and said controlled substance was more than .25 grams or 1 dosage unit

COUNT II

Charge: Threats of Violence-Reckless Disregard Risk

Minnesota Statute: 609.713.1, with reference to: 609.713.1

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

Offense Level: Felony

Offense Date (on or about): 02/05/2026

Control #(ICR#): 26003675

Charge Description: On or about February 5, 2026, in the County of Blue Earth, Minnesota, Davarian Javelle Clark, 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 III

Charge: Traffic - DWI - Refuse to submit to chemical test; Breath or test refusal or failure

Minnesota Statute: 169A.20.2(1), with reference to: 169A.26.2

Maximum Sentence: 364 days or \$3,000 fine, or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/05/2026

Control #(ICR#): 26003675

Charge Description: On or about February 5, 2026, in the County of Blue Earth, Minnesota, Davarian Javelle Clark, did, drive, operate, or was in physical control of any motor vehicle and the Defendant refused to submit to a chemical test of the person's breath upon the request of a peace officer who had probable cause to believe the person to be tested was under the influence.

COUNT IV

Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol

Minnesota Statute: 169A.20.1(1), with reference to: 169A.27.2

Maximum Sentence: 90 days or \$1,000 fine, or both.

Offense Level: Misdemeanor

Offense Date (on or about): 02/05/2026

Control #(ICR#): 26003675

Charge Description: On or about February 5, 2026, in the County of Blue Earth, Minnesota, Davarian Javelle Clark, did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of alcohol.

COUNT V

Charge: Traffic - Drivers License - Driving After Revocation

Minnesota Statute: 171.24.2(a)

Maximum Sentence: 90 days and/or \$1,000 fine

Offense Level: Misdemeanor

Offense Date (on or about): 02/05/2026

Control #(ICR#): 26003675

Charge Description: On or about February 5, 2026, in the County of Blue Earth, said Defendant, Davarian Javelle Clark, did after being given notice, or reasonably should have known of the revocation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was revoked.

COUNT VI

Charge: Traffic - Open bottle law; Possession; crime described

Minnesota Statute: 169A.35.3

Maximum Sentence: 90 days and/or \$1,000 fine

Offense Level: Misdemeanor

Offense Date (on or about): 02/05/2026

Control #(ICR#): 26003675

Charge Description: On or about February 5, 2026, in the County of Blue Earth, Minnesota, Davarian

Javelle Clark, did have in his/her possession, while in a private motor vehicle upon a street or highway, any bottle or receptacle containing an alcoholic beverage, distilled spirit or 3.2 percent malt liquor that has been opened, or the seal broken, or the contents of which have been partially removed.

COUNT VII

Charge: Damage to Property-4th Deg-Intentional Damage-Other Circumstances

Minnesota Statute: 609.595.3

Maximum Sentence: 90 days or \$1,000 fine, or both.

Offense Level: Misdemeanor

Offense Date (on or about): 02/05/2026

Control #(ICR#): 26003675

Charge Description: On or about February 5, 2026, in the County of Blue Earth, Minnesota, Davarian Javelle Clark did intentionally cause damage to another person's physical property without the other person's consent.

STATEMENT OF PROBABLE CAUSE

On February 5, 2026, at approximately 8:04 PM, Officer Joel Hermanson with the Mankato Department of Public Safety was on patrol in a fully marked squad car stopped at a red light on Madison Avenue at the intersection with Bassett Drive. Officer Hermanson noticed a white passenger car approaching the intersection. The car entered the intersection while the light was displaying red. Upon entering the intersection on the red light, the white vehicle stopped. Other vehicles were forced to slow down before proceeding into the intersection due to the white car's position in the intersection.

Once the light cycle turned green the white car left the intersection. Ofc. Hermanson followed the vehicle and effectuated a traffic stop. Ofc. Hermanson approached the vehicle and spoke with the driver, Davarian Javelle Clark. Also in the car was Clark's 11-year-old son.

While interacting with Clark, Ofc. Hermanson noted indicia of impairment. Clark had glassy eyes and slurred speech. When officer Hermanson asked for Clark's identification, Clark handed his entire wallet to Ofc. Hermanson.

Ofc. Hermanson ran Clark's license and found that Clark's license status was revoked. Officer Hermanson also noted that Clark had multiple warrants for his arrest.

Ofc. Kristian Marzolf came to the scene to assist. Ofc. Marzolf noted the same indicia of impairment that Officer Hermanson had.

Ofc. Marzolf removed Clark from the vehicle. Clark stated that he had cocaine in his pocket. Ofc. Hermanson located a small baggie containing a white powdery substance that would later field test positive for the presence of cocaine and weigh 1.31 g. During a search of the vehicle and open container of cognac was found.

Clark was placed in the backseat of Ofc. Hermanson's squad car. Clark then began kicking and striking the back of the squad car causing damage to the metal frame covering the window. Ofc. Hermanson spoke with Clark while Clark was damaging the rear seat of the squad car. Clark yelled at officer Hermanson, "I will fucking kill you."

Ofc. Hermanson attempted to conduct the HGN test while Clark was in the back of the squad car. Clark refused to cooperate. Ofc. Hermanson then read the implied consent advisory to Clark. Clark stated he understood the advisory and stated he wished to speak with an attorney. Later, at the jail, Ofc. Marzolf spoke with Clark about taking a test of his breath. Clark refused, stating that he did not think it would matter.

Ofc. Hermanson transported Clark to the Blue Earth County jail. At the jail Clark continued to act erratically. At one point, with Ofc. Marzolf, Ofc. Hermanson, and jail staff standing nearby Clark yelled, "I will beat you to fucking death." Clark then pointed at Ofc. Hermanson and the other staff members.

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

Ken Baker
Sergeant/Patrol Division
710 S Front St
Mankato, MN 56001-3803
Badge: 3144

Electronically Signed:
02/06/2026 10:41 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:
02/06/2026 10:31 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 6, 2026.

Judicial Officer

Mark Betters
District Court Judge

Electronically Signed: 02/06/2026 11:44 AM

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.

Davarian Javelle Clark

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: