

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. 0070114004
Court File No. 07-CR-26-3412

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

FABIAN OSBEL SERNA DOB: 12/08/1993

420 Castle Pines Drive
Mankato, MN 56001

Defendant.

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): 08/18/2026

Control #(ICR#): 26026085

Charge Description: On or about August 18, 2026, in the County of Blue Earth, Minnesota, Fabian Osbel Serna, 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: Traffic - DWI - Second-Degree Driving While Impaired; Refuse to submit to chemical test

Minnesota Statute: 169A.20.2(1), with reference to: 169A.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/18/2026

Control #(ICR#): 26026085

Charge Description: On or about August 18, 2026, in the County of Blue Earth, Minnesota, Fabian Osbel Serna, 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 and one or more aggravating factors were present when the violation was committed.

COUNT III

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

Minnesota Statute: 169A.20.1(1), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/18/2026

Control #(ICR#): 26026085

Charge Description: On or about August 18, 2026, in the County of Blue Earth, Minnesota, Fabian Osbel Serna, did, drive, operate, or was in physical control of any motor vehicle when he/she was under the influence of alcohol and one aggravating factor was present.

STATEMENT OF PROBABLE CAUSE

On August 18, 2026, Officer Strong of the Mankato Department of Public Safety observed a silver Kia Sportage bearing MN/LIC SBR696 with an expired registration. Officer Strong initiated a traffic stop on Monks Avenue in the City of Mankato at 12:50 a.m.

Officer Strong identified the driver as Fabian Osbel Serna (DOB: 12/8/1993). Officer Strong immediately noticed an odor of a consumed alcoholic beverage, marijuana, and another fragrance. Serna's eyes were bloodshot and glassy. Serna admitted to having three or four drinks Downtown prior to driving. Officer Strong also observed a container of cannabis flower in the center console.

Officer Wright responded to perform SFSTs. Officer Wright observed an odor of alcoholic beverage, odor of marijuana, slurred speech, and bloodshot eyes. Serna informed Officer Wright that he consumed three to four beers.

Serna agreed to perform SFSTs. Officer Wright observed as lack of smooth pursuit and distinct and sustained nystagmus in each eye during the HGN. Officer Wright observed an improper turn during the walk-and-turn test. Officer Wright observed that Serna used his arms for balance, swayed, and put his foot down during the one-legged stand.

Serna told Officer Wright that he had cocaine in his sock. Officer Wright located the cocaine. It weighed .28 grams.

At the Public Safety Center, Officer Wright read Serna the breath test advisory at 1:40 a.m. Serna declined to speak with an attorney. Serna then informed Officer Wright that he would not provide a breath sample.

Serna has a prior DWI conviction from the State of Indiana within the past 10 years. On December 18, 2018, Serna was convicted in Indiana Court File # 36C01-1805-F6-000195 of Operating a Vehicle While Intoxicated; Endangering a Person, a felony.

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

Adam Gray
Operations Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3117

Electronically Signed:
08/18/2026 11:28 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

John L.V. Brooks
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
08/18/2026 10:48 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: August 18, 2026.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 08/18/2026 01:15 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.

Fabian Osbel Serna

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: