

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-15-1831
07-CR-15-5325

State of Minnesota,

Plaintiff,

vs.

DAVARIAN JAVELLE CLARK DOB: 02/09/1990

1133 Warren St
Mankato, MN 56001

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: Violate No Contact Order - Within 10 years of the first of two or more convictions

Minnesota Statute: 629.75.2(d)(1)

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 12/28/2015

Control #(ICR#): 15041035

Charge Description: Davarian Javelle Clark Also Known As Davarian Javelle Clark, Davarian Javell Clark, Davarian Javell Clark, Deanthony Travelle Clark And Davarian Janelle Clark

On or about December 28, 2015, in the County of Blue Earth, said Defendant, Davarian Javelle Clark did violate a Domestic Abuse No-Contact Order and the respondent or person to be restrained knew of the existence of the order and the violation occurred during the time period between two previous qualified domestic violence-related offense convictions or adjudications of delinquency and the end of the ten years following discharge from sentence for those offenses.

STATEMENT OF PROBABLE CAUSE

Mankato Department of Public Safety Police Officer Rob Sadusky states that on December 28, 2015, at approximately 10:05 p.m., he and Officer Kranz were dispatched to an address in the City of Mankato for a suspicious circumstance report. A neighbor reported hearing a "big bang" and seeing a minivan "spinning out." While in route to the location, the caller provided information that the noise was believed to be coming from her neighbor's residence. The caller subsequently reported another sound that sounded "like someone being thrown up against the wall."

The dispatcher determined that the resident of the location in question was a protected party. The dispatcher determined that a Domestic Abuse No Contact Order had been issued by the Court involving an individual at the residence, and Davarian Javelle Clark.

When Officer Sadusky was near the residence, he observed an individual, later identified as Clark, running from the driveway and enter into the passenger side of a vehicle. Officer Sadusky stopped his squad car next to the vehicle and activated the squad car emergency lights. Clark then exited the driver's door and walked to the back of the van with his hands over his head. Officer Sadusky ordered him to the ground, and he went to his knees and leaned over towards the ground. Officer Sadusky was in the process of handcuffing Clark when he stood up and lunged towards the driveway. Officer Kranz assisted Officer Sadusky in restraining Clark and completed handcuffing him.

Clark appeared extremely agitated, shaking, and yelling towards the victim. When Officer Sadusky shut the door of the squad car, he heard loud pounding coming from the car. Officer Kranz unsuccessfully attempted to calm Clark down. While in route to the jail, Clark spontaneously stated that he had been at the residence. Officer Sadusky noted that he displayed several rapid emotion shifts from anger to weeping during the transport and pounded against the squad partition numerous times. Clark said when his handcuffs were removed at the jail, he would punch someone and would not "act nicely."

Officer Kranz spoke to the victim, who stated that a friend had contacted her about Christmas presents for the children. Victim had arranged for a friend to drop the presents off, but the friend did not want to get into the middle, so Clark personally dropped them off.

A Domestic Abuse No Contact Order is in place as set forth in Court File No. 07-CR-15-4199. In addition, Clark has previous qualified domestic violence-related offense convictions as is set forth in Court File No. 07-CR-15-4199 and 07-CR-11-2405.

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

Katelyn Kaiser
Patrol Officer
710 S Front St
Mankato, MN 56001-3803
Badge: 3157

Electronically Signed:
12/30/2015 11:25 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:
12/30/2015 10:34 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 on _____, _____ at _____ AM/PM before the above-named court at 401 Carver Rd, Mankato, MN 56002-0347 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: December 30, 2015.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 12/30/2015 11:29 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: