

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No.
Court File No.

21A00035
27-CR-21-220

State of Minnesota,

Plaintiff,

vs.

MATTHEW WILLIAM CLEVE DOB: 07/12/1982

27565 127th Street NW
Zimmerman, MN 55398

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: Possess Ammo/Any Firearm - Conviction or Adjudicated Delinquent for Crime of Violence

Minnesota Statute: 624.713.1(2), with reference to: 609.11.5(b), 609.17.4(2), 624.713.2(b)

Maximum Sentence: HALF OF, 15 YEARS AND/OR \$30,000

Offense Level: Felony

Offense Date (on or about): 01/03/2021

Control #(ICR#): 21500080

Charge Description: That on or about 1/3/2021, in Hennepin County, Minnesota, MATTHEW WILLIAM CLEVE attempted to possess ammunition or a firearm and MATTHEW WILLIAM CLEVE has been convicted or adjudicated delinquent in this state or elsewhere of a crime of violence, felony Possession Controlled Substance on 2/14/06, for which the sentence or court supervision expired on or after August 1, 1993.

COUNT II

Charge: Assault - 4th Degree - Peace Officer - Demonstrable bodily harm

Minnesota Statute: 609.2231.1(c)(1), with reference to: 609.101.2, 609.2231.1(c)

Maximum Sentence: 3 YEARS AND/OR \$6,000

Offense Level: Felony

Offense Date (on or about): 01/03/2021

Control #(ICR#): 21500080

Charge Description: That on or about 1/3/2021, in Hennepin County, Minnesota, MATTHEW WILLIAM CLEVE assaulted Trooper T.R., a peace officer, while that officer was effecting a lawful arrest or executing a duty imposed upon him by law, and inflicted demonstrable bodily harm upon the officer.

COUNT III

Charge: Disarming a Peace Officer - Take Defensive Device from Peace Officer/Area Controlled by Officer

Minnesota Statute: 609.504.2, with reference to: 609.17.4(2), 609.504.3

Maximum Sentence: HALF OF, 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 01/03/2021

Control #(ICR#): 21500080

Charge Description: That on or about 1/3/2021, in Hennepin County, Minnesota, MATTHEW WILLIAM CLEVE intentionally attempted to take possession of a defensive device being carried by a peace officer or from the area within the officer's immediate control, without the officer's consent, while the officer was engaged in the performance of official duties.

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On or about January 3, 2021, at approximately 8:30 p.m., Minnesota State Trooper T.R. was on patrol when he observed a Honda Accord vehicle, license plate 668-PBR, that had crashed into a retaining wall off Highway 252 near 70th Street, in Brooklyn Center, Hennepin County, Minnesota. From the tire tracks, it appeared the vehicle was traveling northbound but crossed the center median and southbound lanes going into the ditch. The vehicle was still in drive and the tires were spinning. There was no one inside the vehicle and the front driver's door was open. A bystander pointed at a male walking away from the vehicle a short distance away. The male was later identified as MATTHEW WILLIAM CLEVE (DOB: 7/12/82), hereinafter "Defendant."

Trooper T.R. approached Defendant and told him to stop but Defendant did not comply and started walking away. As Trooper T.R. attempted to detain Defendant, Defendant suddenly punched Trooper T.R. in the face and dragged the trooper to the ground. Defendant was on top of the trooper and had him pinned down. Defendant then tried to grab the trooper's handgun. Trooper T.R. yelled at Defendant multiple times to stop reaching for his gun but Defendant ignored the trooper's commands and continued to grab the trooper's firearm. As they continued to struggle over the firearm, a bystander came over and helped the trooper. The bystander grabbed Defendant's arms and placed him in a headlock. With help from the bystander, Trooper T.R. was eventually able to restrain Defendant. Other officers arrived and eventually handcuffed Defendant. Trooper T.R. had red marks and scrapes to his face and leg from the altercation.

Officers spoke with the male bystander. The bystander stated he observed Defendant's vehicle crash into the ditch. Defendant exited the driver's seat and asked for a ride but did not want to stay for police. When Defendant saw the police car, he started walking away. The bystander stated he saw Defendant fighting with the trooper, so he went to help. As the bystander approached, he saw Defendant grabbing at Trooper T.R.'s firearm, attempting to unholster the weapon. The bystander yelled at Defendant to stop and punched Defendant, but Defendant would not comply. The bystander then placed Defendant in a headlock and restrained his hands. They were eventually able to restrain Defendant until other officers arrived.

Officers observed Defendant's eyes were watery and glossy. Defendant was speaking incoherently and appeared under the influence of a controlled substance. Defendant was taken to the hospital for blood tests. Officers obtained a search warrant and asked Defendant to submit to a blood test. Defendant refused a blood test but agreed to a urine test. At approximately 10:50 p.m., officers obtained a urine sample from Defendant. Results are pending.

Defendant's driver's license was Cancelled-Inimical to Public Safety at the time. Defendant has felony convictions for 2nd Degree Assault on June 9, 2002, in Stearns County file no. 73-K1-03-2248; and Possession of Controlled Substances on February 14, 2006, in Hennepin County file no. 27-CR-06-8496. He also has three prior DWI convictions dating back to 2006. Defendant is currently in custody.

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

T. Utes
Trooper
2005 N Lilac Drive
Golden Valley, MN 55422
Badge: 176

Electronically Signed:
01/05/2021 10:42 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Kevin C Lin
Assistant County Attorney
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
01/05/2021 10:33 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 the address listed on the attached court summons 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: \$50,000.00

Conditions of Release: No use of drugs/alcohol; Random UAs; No Possession of Weapons

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: January 5, 2021.

Judicial Officer

Luis Bartolomei
District Court Judge

Electronically Signed: 01/05/2021 11:11 AM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

MATTHEW WILLIAM CLEVE

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:

DEFENDANT FACT SHEET

Name: MATTHEW WILLIAM CLEVE
DOB: 07/12/1982
Address: 27565 127th Street NW
Zimmerman, MN 55398

Alias Names/DOB:

SID: MN00705028

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: White

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

SILS Person ID #: 455307

SILS Tracking No. 3208926

Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	1/3/2021	624.713.1(2) Possess Ammo/Any Firearm - Conviction or Adjudicated Delinquent for Crime of Violence	Felony	W1643	A	MNMHP0400	21500080
	Penalty	1/3/2021	624.713.2(b) Possesses any type of firearm/ammo - Crime of Violence - ineligible under 624.713.1(2)	Felony	W1643	A	MNMHP0400	21500080
	Penalty	1/3/2021	609.17.4(2) Anticipatory Crimes-Attempts-Penalty-1/2 Of Intended	Felony	W1643	A	MNMHP0400	21500080
	Penalty	1/3/2021	609.11.5(b) Minimum Sentences of Imprisonment-Firearm-Felon Convicted Crime of Violence	Felony	W1643	A	MNMHP0400	21500080
2	Charge	1/3/2021	609.2231.1(c)(1) Assault - 4th Degree - Peace Officer - Demonstrable bodily harm	Felony	A4357		MNMHP0400	21500080
	Penalty	1/3/2021	609.2231.1(c) Assault - 4th Degree - Peace Officer - Penalty for violation of 609.2231.1(c)(1) or (c)(2)	Felony	A4357		MNMHP0400	21500080
	Definition	1/3/2021	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	A4357		MNMHP0400	21500080
3	Charge	1/3/2021	609.504.2 Disarming a Peace Officer - Take Defensive Device from Peace Officer/Area Controlled by Officer	Felony	X1460	A	MNMHP0400	21500080
	Penalty	1/3/2021	609.504.3 Disarming a Peace Officer - Take Defensive Device - Penalty	Felony	X1460	A	MNMHP0400	21500080
	Penalty	1/3/2021	609.17.4(2) Anticipatory Crimes-Attempts-Penalty-1/2 Of Intended	Felony	X1460	A	MNMHP0400	21500080