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United States Attorney's Office
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News Release

FOR IMMEDIATE RELEASE
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Brooklyn Park man indicted for managing a house that was used in marijuana grow operation

A 32-year-old Brooklyn Park man was indicted yesterday in federal court in connection with managing a house that was used to grow marijuana.

Ngoc Ba Phung, was charged Oct. 28 in St. Paul with one count of conspiracy to manufacture 100 or more marijuana plants and one count of aiding and abetting the maintenance of drug-involved premises.

Phung's indictment alleges that from April 2008 through June 21, 2008, he did unlawfully, knowingly and intentionally conspire with others to manufacture 100 or more marijuana plants. It also alleges that from April 2008 through June 21 Phung did knowingly manage and control a premises located in Elk River as an agent for the purpose of unlawfully manufacturing a controlled substance.

According to a Drug Enforcement Administration (DEA) affidavit, law enforcement learned about the grow operation in April 2008, and observed Phung at the residence, located in the 10000 block of 176th NW Lane, on May 18 and June 13.

Police executed a search warrant at the residence on June 21, and recovered 870 marijuana plants. Phung was found at the residence and arrested.

Police also executed a search warrant at a Rogers residence on June 21, and found evidence of a dismantled marijuana grow operation.

If convicted, Phung faces a potential maximum penalty of 40 years in prison on the conspiracy count and 20 years on the maintenance count. All sentences are determined by a federal district court judge.

This case is the result of an investigation by the DEA, the Hennepin County Sheriff's Office, with the assistance of the Elk River and Rogers police departments. It is being prosecuted

by Assistant United States Attorney LeeAnn K. Bell.

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An indictment is a determination by a grand jury that there is probable cause to believe that offenses have been committed by a defendant. A defendant, of course, is presumed innocent until he or she pleads guilty or is proven guilty at trial.