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News Release

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Felon indicted under the Hobbs Act for robbery of Brooklyn Park gas station

A federal grand jury in Minneapolis today indicted a 22-year-old felon for allegedly robbing the Noble Mobil gas station in Brooklyn Park on January 5, 2011. Philip Alvin Myers of Brooklyn Park was charged under the Hobbs Act with one count of interference with commerce by robbery. Myers also was charged with one count of possession of a firearm in furtherance of a crime of violence and one count of being a felon in possession of a firearm. He remains in custody.

The indictment alleges that at approximately 4:00 a.m. on January 5, Myers took \$100 in cash from an employee at the gas station. Myers purportedly brandished a .40 caliber, semi-automatic handgun at the time. According to the indictment, when an employee arrived for work, Myers forced him inside the station, where he demanded money from the safe. The employee told him he did not have access to the safe, so Myers reportedly took \$100 from the cash register and fled in a stolen Acura. Police pursued Myers, who crashed his car. He attempted to flee on foot but was soon apprehended. Officers found \$100 in cash on him and the gun on the ground near the abandoned Acura. Because he is a felon, Myers is prohibited from possessing firearms or ammunition at any time. Myers has two prior convictions for second-degree burglary (2004 and 2009).

The Hobbs Act, passed by Congress in 1946, allows federal prosecutors to prosecute violent habitual criminals who commit armed robbery in places of business involved in interstate commerce. Federal prosecution of these cases is sometimes beneficial since the penalties are often tougher than under State law. Furthermore, because the federal system has no parole, those who receive federal sentences serve virtually the entire time imposed.

If convicted, Myers faces a potential maximum penalty of life in prison for using a firearm in furtherance of a crime of violence, 20 years for robbery, and ten years for being a felon in possession of a firearm. All sentences will be determined by a federal district court judge.

This case is the result of an investigation by the Brooklyn Park Police Department and the United States Bureau of Alcohol, Tobacco, Firearms and Explosives. It is being prosecuted by Assistant U.S. Attorney Jeffrey S. Paulsen.

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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.