

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b> _____
<b>MICHAEL H. LAUER</b>	<b>:</b>	<b>VIOLATIONS:</b>
	<b>:</b>	<b>18 U.S.C. § 1951(a) (interference with</b>
	<b>:</b>	<b>interstate commerce by robbery – 1</b>
	<b>:</b>	<b>count)</b>
	<b>:</b>	<b>18 U.S.C. § 924(c)(1) (using and carrying</b>
	<b>:</b>	<b>a firearm during and in relation to a</b>
	<b>:</b>	<b>crime of violence – 1 count)</b>
	<b>:</b>	<b>18 U.S.C. §§ 922(g)(1), 924(e)</b>
	<b>:</b>	<b>(possession of a firearm by a convicted</b>
		<b>felon - 1 count)</b>

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**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. Grocery and Convenience Store, located at 1226 Tasker Street in Philadelphia, Pennsylvania, was a business engaged in and affecting interstate commerce, providing cigarettes and Canada Dry products, which were produced and transported from other states to Pennsylvania.

2. On or about February 24, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MICHAEL H. LAUER**

obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce by robbery, in that, defendant LAUER unlawfully took and obtained cash proceeds of

the business from the presence of employees of that business, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, that is, by brandishing a firearm, pointing the firearm directly at the employees, and demanding money.

In violation of Title 18, United States Code, Section 1951(a), (b)(1), (b)(3).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about February 24, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MICHAEL H. LAUER**

knowingly used and carried a firearm, that is, a Harrington & Richardson, .32 caliber six shot revolver, serial no. AX051521, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, interference with interstate commerce by robbery, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c).

**COUNT THREE**

**THE GRAND JURY CHARGES THAT:**

On or about February 24, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MICHAEL H. LAUER,**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Harrington & Richardson, .32 caliber six shot revolver, serial no. AX051521.

In violation of Title 18, United States Code, Section 922(g)(1), 924(e).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 924(c), set forth in this indictment, defendant

**MICHAEL H. LAUER**

shall forfeit to the United States of America, the firearm involved in the commission of such offenses, including, but not limited to:

1. Harrington & Richardson, .32 caliber six shot revolver, serial no.  
AX051521.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

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**FOREPERSON**

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**LAURIE MAGID**  
**Acting United States Attorney**