

FILED
10/2/2024
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT
MEN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

DEVAN FLAX,
also known as “Devo”

No.

Violations: Title 18, United States
Code, Sections 924(c), 1704,
1951(a), and 2114(a)

1:24-cr-00462
Judge Jeffrey I Cummings
Magistrate Judge Maria Valdez
RANDOM / CAT. 4

COUNT ONE

The SPECIAL APRIL 2024 GRAND JURY charges:

On or about November 25, 2023, at Forest Park, in the Northern District of
Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo,”

defendant herein, did assault Victim A, a person having lawful charge, custody, and
control of United States mail matter and other property of the United States, with
intent to rob, steal and purloin said mail matter and other property of the United
States, and robbed Victim A of mail matter and other property of the United States,
and in doing so, put the life of Victim A in jeopardy by the use of a dangerous weapon;

In violation of Title 18, United States Code, Section 2114(a).

COUNT TWO

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about November 25, 2023, at Forest Park, in the Northern District of Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo,”

defendant herein, did steal and purloin a key suited to a lock adopted by the Postal Service and in use on an authorized receptacle for the deposit or delivery of mail matter;

In violation of Title 18, United States Code, Section 1704.

COUNT THREE

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about November 26, 2023, at Forest Park, in the Northern District of Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo,”

defendant herein, did obstruct, delay, and affect “commerce,” as defined in Title 18, United States Code, Section 1951(b), and the movement of articles and commodities in commerce, by robbery, in that the defendant did unlawfully take and obtain money and property from the person and in the presence of an employee of a pizzeria located in Berwyn, Illinois (“Victim B”), against his will, by means of actual and threatened force, violence, and fear of injury to Victim B;

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

COUNT FOUR

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about November 26, 2023, at Forest Park, in the Northern District of Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo,”

defendant herein, did use, carry, and brandish a firearm during and in relation to a crime of violence for which defendant may be prosecuted in a court of the United States, namely, robbery affecting commerce, as charged in Count Three of this Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FIVE

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about November 28, 2023, at Forest Park, in the Northern District of Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo,”

defendant herein, did assault Victim B, a person having lawful charge, custody, and control of United States mail matter and other property of the United States, with intent to rob, steal and purloin said mail matter and other property of the United States, and robbed Victim A of mail matter and other property of the United States, and in doing so, put the life of Victim A in jeopardy by the use of a dangerous weapon;

In violation of Title 18, United States Code, Section 2114(a).

COUNT SIX

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about November 28, 2023, at Forest Park, in the Northern District of Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo,”

defendant herein, did use, carry, and brandish a firearm during and in relation to a crime of violence for which defendant may be prosecuted in a court of the United States, namely, assault of a postal employee, as charged in Count Five of this Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SEVEN

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about November 28, 2023, at Forest Park, in the Northern District of Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo”

defendant herein, did steal and purloin a key suited to a lock adopted by the Postal Service and in use on an authorized receptacle for the deposit or delivery of mail matter;

In violation of Title 18, United States Code, Section 1704.

COUNT EIGHT

The SPECIAL APRIL 2024 GRAND JURY further charges:

From on or about November 25, 2023 to on or about November 28, 2023, at Forest Park, in the Northern District of Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo”

defendant herein, did knowingly possess a key suited to a lock adopted by the Postal Service and in use on an authorized receptacle for the deposit or delivery of mail matter, with the intent unlawfully and improperly to use, sell, and dispose of the same;

In violation of Title 18, United States Code, Section 1704.

COUNT NINE

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about November 28, 2023, at Forest Park, in the Northern District of Illinois, Eastern Division,

DEVAN FLAX,
also known as “Devo”

defendant herein, did knowingly possess a key suited to a lock adopted by the Postal Service and in use on an authorized receptacle for the deposit or delivery of mail matter, with the intent unlawfully and improperly to use, sell, and dispose of the same;

In violation of Title 18, United States Code, Section 1704.

FORFEITURE ALLEGATION

The SPECIAL APRIL 2024 GRAND JURY further alleges:

1. Upon conviction of an offense in violation of Title 18, United States Code, Section 924(c), Section 1951(a), or Section 2114(a), as set forth in this Indictment, defendant shall forfeit to the United States of America, any firearm and ammunition:

a. involved in and used in any offense of conviction, as provided in Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c); and

b. found in the possession or under the immediate control of the defendant at the time of arrest, upon conviction of any offense for committing and attempting to commit any felony involving the use of threats, force, and violence, and perpetrated in whole or in part by the use of firearms, as provided in 18 U.S.C. § 3665.

2. The property to be forfeited includes, but is not limited to, a Smith & Wesson M&P 380 Shield semi-automatic pistol, bearing serial number RES7283 and associated ammunition.

A TRUE BILL:

FOREPERSON

ACTING UNITED STATES ATTORNEY