Perkins County law enforcement personnel were assisting in a high speed chase last December that ended in gunfire—the pursued suspect allegedly shot at a Nebraska State Patrol officer and former Keith County Sheriff.

By Mary Pierce
Keith County News

The Colorado man who allegedly shot at two local law officers in December 2010 will face nine charges including two counts of first-degree attempted murder, in Keith County District Court.

Mark J. Phillips, 40, of Louisville, Colo., allegedly shot at Nebraska State Patrol Sgt. Aaron Watson and former Keith County Sheriff Kevin Mueller on Dec. 7, 2010 in rural Keith County after fleeing a traffic stop on Highway 61 South. Officers returned fire, injuring Phillips.

On Feb. 14, Phillips was arraigned on 10 charges, including two counts of attempted first-degree murder, two counts of attempted first-degree assault on an officer, possession of a firearm while in possession of methamphetamine, use of a deadly weapon to commit a felony, felon in possession of a firearm, operating a motor vehicle to avoid arrest, possession of a controlled substance and obstructing a peace officer.

During a March preliminary hearing on the charges, one charge of first-degree attempted murder and one charge of first-degree attempted assault on an officer were dismissed by County Judge Edward Steenburg due to lack of evidence.

The dismissed charges were in regard to Phillips allegedly shooting at Mueller.

At that time, Steenburg also waived jurisdiction on the 10th charge, obstruction of a peace officer, a misdemeanor.

The state re-filed the felony charges of first-degree attempted murder and first-degree assault on an officer, and on Aug. 19, District Judge Donald E. Rowlands heard testimony from Mueller, who now is serving as Chase County sheriff, as well as additional testimony from Watson.

In his order, Rowlands wrote that after reviewing the evidence the court found that Steenburg was correct in dismissing the two charges because Mueller had not testified during the original preliminary hearing. Rowlands wrote that Mueller did testify during the Aug. 19 preliminary hearing that Phillips pointed a gun at Mueller and at Watson, and that Phillips was trying to kill them both. Mueller testified that one of the rounds fired from Phillips' weapon passed between Mueller and Watson.

Rowlands wrote that in light of Mueller's testimony, the court found the state had established a crime was committed in regard to the charges and that there is probable cause that the defendant committed those crimes.

Phillips was to be arraigned on those charges at 8:30 a.m. Sept. 9 in the Keith County Courtroom.

Phillips remains in the Keith County Jail on a $1 million bond.