

**THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
ISABELO NOBLE, DEFENDANT-APPELLANT.**

G.R. No. L-289. August 29, 1946

Ponente: PADILLA, J.

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PADILLA, J.:

In this appeal the only question raised is the correctness of the penalty — two months imprisonment and a fine of P200, with, subsidiary imprisonment in case of insolvency, and costs — the defendant claiming that a fine would be sufficient penalty in view of his plea of guilty to the information charging him with unlawful possession of a .45 caliber pistol.

The penalty being within the range provided for in the law (C.A. No. 56), and the plea of guilty as mitigating circumstance under the Revised. Penal Code (Art. 13, par. 7) not being available for offenses punishable under special laws (Art. 10, R.P.C.), appellant's contention is without merit.

Judgment is affirmed, with costs.

Paras, Pablo, Perfecto, and Hilado, JJ., concur.

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