

UNITED STATES, PLAINTIFF AND APPELLEE, VS. FRANCISCO BOTOR, DEFENDANT AND APPELLANT

G.R. No. 3839. March 20, 1908

Ponente: JOHNSON, J.

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JOHNSON, J.:

RESISTING THE AUTHORITIES.—From the Court of First Instance of Ambos Camarines. Evidence held to fully justify the conviction, and judgment affirmed.

Per Johnson, J.

For appellant: J. Rodriguez Serra.

For appellee: Attorney-General Araneta.

DECISION

This defendant was charged with the crime of "atentado contra los agentes de la autoridad", alleged to have been committed on or about the 14th of April, 1906, in the municipality of Minalabag, in the Province of Ambos Camarines.

The defendant was duly tried and found guilty of the crime of resisting the authorities, and was sentenced to be imprisoned for a period of two months of arresto mayor, to pay a fine of 325 pesetas and the costs, and in case of insolvency to suffer subsidiary imprisonment in accordance with the provisions of Article 252 of the Penal Code.

From that sentence the defendant appealed to this court.

An examination of the record brought to this court fully justifies the findings of fact and the conclusions of the court below. The sentence of the lower court is, therefore, hereby affirmed, with costs.

It is so ordered.

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