

THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. LUIS SANTIAGO ET AL., DEFENDANTS, LUIS SANTIAGO, TEODORO DAVID AND ALEJANDRO ESPINOLA, DEFENDANTS AND APPELLANTS.

G. R. No. 38677. July 30, 1934

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J. STEVENS-ACTING CLERK OF COURT

This court having regularly acquired jurisdiction for the trial of the above-entitled cause submitted by both parties for decision, after consideration thereof by the Court upon the record, its decision and order for the judgment having been filed on the _____ 14th _____ day of _____ May _____, A. D. nineteen hundred and _____ thirty-four _____;

By virtue thereof it is hereby adjudged and decreed that the order of the Court of the First Instance of _____ Bataan _____, dated the _____ 15th _____ day of _____ November _____, nineteen hundred and _____ thirty-two _____, and from which the above-entitled appeal was taken, be, and the same is hereby, affirmed as to Luis Santiago, and, in accordance with the provisions of the indeterminate Sentence Law, Act 4103, the judgment is hereby modified by sentencing the appellant to an indeterminate period of imprisonment running from a minimum of 1 month and 1 day, arresto mayor, to 1 year and 8 months, prision correccional, with the penalties accessory thereto. The judgment requiring indemnification by this appellant to Melchora Austria in the amount of two thousand pesos is affirmed. The two other accused, Teodoro David and Alejandro Espinola, are absolved from the complaint, with one third of the costs of this appeal and one, fourth of the costs of the trial in first instance against Luis Santiago. The costs to the accused who are acquitted will be de oficio in both instances. One third of the costs of this appeal amount to 58.00 for the collection of which the trial judge shall proceed by summary proceedings.

It is further ordered that the said cause be remanded to the Court of First Instance.

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