THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. LUCIANO YANESA (ALIAS CALIPO), DEFENDANT AND APPELLANT.

G.R. No. 4268. November 14, 1908

Ponente: JOHNSON, J.

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JOHNSON, J.:

ROBBERY "EN CUADRILLA" (1897); ALIBI.—From the Court of First Instance of Ambos Camarines. Smith, J.

Defendant was convicted of robbery en cuadrilla and sentenced to imprisonment at hard labor for nine years. The complaining witnesses did not recognize the robbers on the night of the crime but on the following day they identified the accused as one of those who was with the band. In defense several apparently creditable witnesses testified that they had been in the company of the accused on the night of the robbery until several hours after the crime was committed. Evidence not deemed sufficient to sustain the conviction. Judgment reversed and defendant acquitted.

For appellant: W. H. Bishop.

For appellee: Solicitor-General Harvey.

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