THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. CANDIDO CASTRO, DEFENDANT AND APPELLANT.

G.R. No. 5494. December 17, 1909

Ponente: SMITH, J.

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SMITH, J.:

Defendant was convicted of robbery and sentenced to four years of presidio correccional and to return the stolen money or to suffer subsidiary imprisonment. Defendant had previously been convicted six times of estafa, and the robbery was committed in a dwelling, constituting two aggravating circumstances. The article of the concurrence of force and intimidation, penalty raised to ten years, with-out subsidiary imprisonment. Judgment modified, penalty increased.

Per Arellano, C.J.

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