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Institution: Inter-American Commission on Human Rights
File Number(s): Petition 12.368
Session: Hundred and Eleventh Special Session (3 – 6 April 2001)
Title/Style of Cause: Thomas Nevius v. United States
Doc. Type: Decision on Precautionary Measures
Dated: 4 April 2001
Citation: Nevius v. United States, Petition 12.368, Inter-Am. C.H.R.,
OEA/Ser./L/V/II.114, doc. 5 rev., Ch. III, para. 56 (2001)

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56. On April 4, 2001, the Commission asked the United States to adopt precautionary measures with respect to petition 12.368 on behalf of Thomas Nevius, a death-row prisoner in Nevada state, whose clemency hearing was to be held on April 11, 2001. The Commission asked the State to take the steps necessary to prevent irreparable harm to the life of Mr. Nevius. In a letter sent to the Commission on April 11, 2001, the United States gave its opinion that the Commission's power to grant precautionary measures did not exist in either the American Convention or the Statute of the Commission and, consequently, that it held that the Commission's request was a nonbinding recommendation. On May 8, 2001, Mr. Nevius's representative told the Commission that at the April 11 clemency hearing, the governor of Nevada decided to appoint one or more experts to examine Mr. Nevius's mental faculties.