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Institution: Inter-American Commission on Human Rights
File Number(s): Petition 12.381
Title/Style of Cause: Robert Bacon Jr. v. United States
Doc. Type: Decision on Precautionary Measures
Dated: 25 April 2001
Citation: Bacon v. United States, Petition 12.381, Inter-Am. C.H.R.,
OEA/Ser./L/V/II.114, doc. 5 rev., Ch. III, para. 57 (2001)

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57. On April 25, 2001, the Commission asked the U.S. government to adopt precautionary measures in connection with petition 12.381 on behalf of Robert Bacon Jr., a prison inmate on death row in North Carolina, whose execution was scheduled to take place on May 18, 2001. The Commission asked the State to take the steps necessary to prevent irreparable harm to Mr. Bacon's life while the allegations set forth in the corresponding petition were being investigated. 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. In letters dated May 21 and September 20, Mr. Bacon's representative informed the Commission of two orders that temporarily stayed his execution. The first of these, dated May 18, 2001, was issued by the North Carolina Supreme Court and the second, dated September 18, 2001, came from the governor of North Carolina. Pursuant to these orders, the execution was postponed until October 5, 2001.