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Dated: 14 June 2001
Citation: Valdez v. United States, Petition 0353/2001, Inter-Am. C.H.R.,
OEA/Ser./L/V/II.114, doc. 5 rev., Ch. III, para. 59 (2001)

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59. On June 14, 2001, the Commission asked the U.S. government to adopt precautionary measures in connection with petition N° P0353.2001 on behalf of Gerardo Valdez Maltos, a Mexican citizen sentenced to death in the state of Oklahoma and facing execution on June 19, 2001. The Commission asked the State to take the steps necessary to prevent irreparable harm to Mr. Valdez's life while the allegations set forth in the corresponding petition were investigated. The Commission was later informed that on June 16, 2001, the governor of Oklahoma had ordered a 30-day stay of execution and that the Board of Pardon and Parole had recommended that Mr. Valdez's sentence be commuted. In a letter sent to the Commission on June 18, 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. The Commission was subsequently informed that on July 20, 2001, the governor had denied Mr. Valdez's bid for clemency and that his execution had been rescheduled for August 30, 2001. In a note dated August 13, 2001, the Commission repeated the request for precautionary measures it had made on June 14; it later received information that the governor of Oklahoma had granted another 30-day stay of execution. The Commission was later informed that on September 10, 2001, the Oklahoma Court of Criminal Appeals had granted an indefinite stay of Mr. Valdez's execution pending the outcome of other domestic legal proceedings.