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Institution: Inter-American Commission on Human Rights
Title/Style of Cause: Walter Mickens v. United States
Doc. Type: Decision on Precautionary Measures
Dated: 7 June 2002
Citation: Mickens v. United States, Inter-Am. C.H.R., OEA/Ser.L/V/II.117, doc. 1 rev. 1, Ch. III, para. 82 (2002)

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82. On June 7, 2002 the Commission authorized precautionary measures in favor of Walter Mickens. According to the petition requesting the measures, Mr. Mickens was sentenced to death in 1993 for the capital murder of Timothy Hall. The petition alleged that the defense counsel assigned to Mr. Mickens' case had a conflict of interest and, as a consequence, that Mr. Mickens was deprived of his right to due process and to a fair trial, contrary to Articles I, XVIII and XXVI of the American Declaration. The petition also stated that Mr. Mickens' execution was scheduled to take place on June 12, 2002. In its June 7, 2002 communication to the United States, the Commission indicated that if Mr. Mickens was executed before the Commission had an opportunity to examine the allegations in his petition, any eventual decision would be rendered moot in respect of the availability of potential remedies and irreparable damage would be caused to Mr. Mickens. Accordingly, the Commission requested that the State take precautionary measures to stay Mr. Mickens' execution pending the Commission's investigation of the allegations in his petition, and requested an urgent response to its communication. In a note dated June 12, 2002, the State informed the Commission that it had forwarded the Commission's request for precautionary measures to the Governor and Attorney General of the Commonwealth of Virginia. The Commission subsequently received information that Mr. Mickens' execution proceeded as scheduled on June 12, 2002.