

**INTER-AMERICAN COMMISSION ON HUMAN
RIGHTS RESOLUTION 22/2022**

Precautionary Measure No. 331- 22
Clarence Wayne Dixon regarding the United States of America
May 10, 2022
Original: English

I. INTRODUCTION

1. On May 8, 2022, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures filed by Amanda C. Bass (“the applicant”). The application urges the Commission to require that the United States of America (“the State” or “United States”) adopt the necessary measures to protect the rights of Clarence Wayne Dixon (“the proposed beneficiary”), who is currently facing the risk of imminent execution in the state of Arizona, where he has been held in solitary confinement on death row and 24-hour continuous observation. The request for precautionary measures is linked to petition P-831-22, in which the applicant alleges violations of Article I (right to life, liberty and personal security), Article XVIII (right to a fair trial), Article XXV (right to humane treatment in custody) and Article XXVI (right to due process of law and right not to receive cruel, infamous or unusual punishment) of the American Declaration of the Rights and Duties of Man (“American Declaration” or “Declaration”).

2. Pursuant to Article 25.5 of its Rules of Procedure, the IACHR considers that the immediacy of the threatened harm admits no delay; therefore, in the present procedure the Commission has not requested information from the State prior to the adoption of its decision. According to the same Article, the Commission will review the present decision “as soon as possible, or at the latest during its next period of sessions, taking into account the information received from the parties”.

3. Having analyzed the submissions of fact and law presented by the petitioner, the Commission considers that the information submitted demonstrates *prima facie* that there is a serious and urgent risk of irreparable harm to Mr. Dixon’s rights to life and personal integrity in accordance with Article 25 of its Rules of Procedure. Consequently, the Commission requests that the United States of America: a) adopt the necessary measures to protect the life and personal integrity of Clarence Wayne Dixon; b) refrain from carrying out the death penalty on Clarence Wayne Dixon, until the IACHR has had the opportunity to reach a decision on his petition; c) ensure that Clarence Wayne Dixon’s detention conditions are consistent with international standards, giving special consideration to his disabilities and medical condition; and, d) agree on the measures to be adopted with the beneficiary and his representative.

II. SUMMARY OF FACT AND ARGUMENTS PROVIDED BY THE APPLICANT

4. The request indicates that the proposed beneficiary is currently facing the risk of imminent execution in the state of Arizona, United States. He has been held in solitary confinement on death row and on 24-hour continuous observation. According to the applicant, Mr. Dixon has not exhausted all domestic remedies available to him on, however, is scheduled to be executed on May 11, 2022.

a. The proposed beneficiary's life

5. According to the application, the proposed beneficiary is 66 years old and a member of the Navajo Nation. He is blind, suffers from mentally illness and is physically frail. Mr. Dixon was sentenced to death penalty in January 2008, presumably being denied effective assistance counsel and a fair trial when he represented himself at his own capital trial despite being seriously mentally ill and holding on going delusional beliefs about his own legal case.

6. From Mr. Dixon's early years, he was characterized by illness, dysfunction, and abuse. He had a difficult life as he suffers from a congenital heart condition. As he grew, so did his health problems, experiencing unexplained seizures for the first four years of his life and received frequent injuries due to his condition. His health complications, along with his heart defect, resulted in low energy and small stature. Frequently, his health issues made Mr. Dixon a target in his family, subjecting him to both isolation, abuse and neglect, especially from his father, who also suffered from broader mental illness. Also, due to his father's poor spending habits, his family lived in poverty, which resulted in Mr. Dixon eating dog food during prolonged periods of hunger. Therefore, in response to this abusive and chaotic homelife, the proposed beneficiary began to experience severe depression and feelings of isolation around age ten. When Mr. Dixon was fourteen, the familial abuse culminated in his father abandoning the family, resulting in him suffering from severe behavioral dysregulation. Due to the lack of familial emotional support or institutional services to assist him, he turned to substance abuse, which included marijuana, prescription pills, meth, cocaine, and barbiturates. Mr. Dixon later began drinking which eventually resulted in DUI charges and developed into full-fledged alcoholism by early adulthood.

7. In addition to being disconnected from his family during his childhood, the proposed beneficiary was similarly disconnected from his Navajo culture while he was growing up. Both of his parents had significant native cultural roots; his father was born to Navajo parents, and his mother was the granddaughter and niece of Navajo Code Talkers. However, his father retained almost nothing from his Navajo upbringing, and sent Mr. Dixon to schools where he was forced to learn English rather than the Navajo language. The applicant states that he was made to assimilate to the "dominant culture", and consequently, lose his Navajo identity.

8. Near Mr. Dixon's adulthood years, his mental illness became increasingly severe, impacting his education and marriage. He began experiencing psychosis, which manifested itself in paranoia, delusional thoughts, and suicidal ideation. Amid these growing mental health struggles, the proposed beneficiary married and enrolled as a student at Arizona State University. His marriage was troubled considering both him and his wife used marijuana and alcohol. Later on, Mr. Dixon withdrew from Arizona State University due to his devolving and untreated mental health. However, several months prior to withdrawing from the university, the proposed beneficiary - in a state of psychosis- attacked a stranger and was subsequently arrested for assault. The victim and investigating officer described the proposed beneficiary as "confused" and "disorientated" at the time of the crime. In that occasion, Mr. Dixon explained his delusional belief that the victim was his wife. Subsequently, the Court ordered the proposed beneficiary to participate in psychiatric evaluations, in which the psychiatrists found Mr. Dixon to be "definitely gravely disabled," incompetent to stand trial, and suffering from undifferentiated schizophrenia. He was civilly committed for six weeks following these findings. The Court found him not guilty by reason of insanity and, while the judge recommended that he needed to be evaluated for civil commitment, he was released without supervision, treatment, or medication.

9. The application stresses that the State actors failed to protect and provide support to the proposed beneficiary's from throughout his lifetime, especially considering his medical, physical, and emotional abuse and neglect by his family. Once Mr. Dixon became entangled in the United States legal system, both the United States and the state of Arizona compounded their failure by denying Mr. Dixon due process of law in proceedings against him, failing to provide the necessary protections required for those with mental illness and physical disabilities, and subjecting him to conditions of confinement that violate his human rights.

a. The crime that led to the proposed beneficiary's conviction and death sentence

10. Based on the information provided by the applicant, the proposed beneficiary was indicted for first degree murder for the death a Deana Bowdoin on January 7, 1978. Presumably, a routine D.O.C comparison of the proposed beneficiary's DNA in 2002 implicated him in her death and faced capital murder charges in Maricopa County. He was sentenced to death in January, 2008.

a. Allegation of the proposed beneficiary's failed defense

11. In accordance to the application, Mr. Dixon's crime -for which he is on death row- occurred less than 48 hours after being found legally insane in 1978. However, his involvement was not discovered until 2002, based on DNA evidence. At his capital trial in 2007, the proposed beneficiary fixated on the collection of his DNA from his previous 1985 case. This fixation grew into a perseveration that his DNA was illegally collected, and he demanded that his counsel raise this issue. Nevertheless, the counsel refused to raise that (inaccurate) claim. As a result, Mr. Dixon fired his counsel, and despite having being found legally insane and incompetent to stand trial in 1977, he was allowed to represent himself during his capital trial. The applicant states that the proposed beneficiary's attorneys did not object when the Court found him competent to represent himself even though he was seriously mentally ill and was likely not competent to stand trial at all.

12. During the guilt phase of trial, Mr. Dixon was significantly prejudiced by his self-representation due to his likely mental incompetency. He was expected to represent himself while shackled to the table and wearing a shock belt. The applications states that the proposed beneficiary informed the Court that he had not been made aware of the evidence against him until trial. However, allegedly the State introduced overly prejudicial evidence regarding Mr. Dixon's prior conviction and the prosecutor misled the jury on the key issue of the DNA evidence involved in Mr. Dixon's case.

13. According to the applicant, after the proposed beneficiary represented himself during the trial, the jury convicted him of murder. In spite of the above, during the mitigation phase Mr. Dixon explained to the court that "he did not know what was going on" and told the judge "he was not ready". The applicant alleges that the jury heard almost nothing of the proposed beneficiary's background, mental-health issues, and childhood history of abuse and neglect as priorly mentioned.

iv. Post-Conviction relief procedures filed by the proposed beneficiary

14. Following his conviction, the proposed beneficiary filed various claims before the domestic Courts. He is currently pursuing his first claim before the state court by which he states that he is seriously mentally ill and disabled person, and that his death sentence and execution are in violation of international law. The application highlights that on April 8, 2022, Mr. Dixon sought state court relief relating to a determination of his competency. The Trial Court held a hearing on May 3, 2022, and denied relief to Mr. Dixon on that same day, ruling that he is competent to be executed. However,

he expects to continue to litigate this matter in the federal courts over the next few days before the scheduled date of his execution.

15. In addition to the above, the proposed beneficiary presented a second claim, stating he was incompetent to represent himself at trial, and had received ineffective assistance of counsel at his trial-level competency hearing and trial. Mr. Dixon raised a petition for writ of certiorari to the United States Supreme Court, which was denied on May 26, 2020. Then, a third claim was filed on behalf of Mr. Dixon, asserting that he is being held under inhumane conditions on death watch. The applicant asserts that the claim has no reasonable prospects of success in domestic courts, considering that the United States Supreme Court has refused to hold arguments relating to death row confinement as a violation of the right to be protected from cruel and unusual punishment. Finally, on his fourth claim, the proposed beneficiary argued that Arizona clemency procedures do not comport with minimum standards of adequate process under international law. However, the applicant considers that the claim has no reasonable prospect of success in domestic courts.

16. Based on all of the foregoing, the applicant argues that, although Mr. Dixon has not yet fully exhausted his domestic remedies, it is not a prerequisite to the issuance of the request of precautionary measures and considers that the judicial remedies have failed to provide meaningful review for the violations of Mr. Dixon's rights.

v. Clemency proceedings requested by the proposed beneficiary

17. The applicant states that, pursuant to Arizona law, the proposed beneficiary is entitled to a fair clemency hearing before an impartial tribunal at least seven days prior to his execution date. Accordingly, in Arizona the Board of Executive Clemency acts as the impartial tribunal and must comply with the plain requirements of Arizona law. The application argues that one statutory requirement is that no more than two members of the five-member Board can be from the same professional discipline. However, in the present case the Board consisted of three former law enforcement officers and one former federal prosecutor, in contravention of Arizona state's law. According to the application, the proposed beneficiary challenged the composition of the Board by filing a petition in the state trial court, but he was denied relief. In the denying relief, the Judge of the Maricopa County Superior Court concluded that law enforcement is not a "profession". In this case, the applicant argues that Mr. Dixon asked the Arizona Court of Appeals, and then the Arizona Supreme Court, to review the Trial Court's decision. Nevertheless, he failed to obtain relief in the Arizona Court of Appeals on April 25, 2022, and in the Arizona Supreme Court on April 27, 2022.

18. On April 28, 2022, the Board proceeded with a clemency hearing under its current composition, and under protest by the proposed beneficiary. The Board denied relief at the conclusion of the hearing.

vi. The proposed beneficiary's current conditions of confinement

19. The proposed beneficiary has been imprisoned for 35 years and is currently detained at the Central Unit at the Arizona State Prison Complex in Florence, Arizona. Based on the application, Mr. Dixon was placed in solitary confinement, where he has remained awaiting his execution date. He has been diagnosed Schizophrenia Paranoid Type, Major Depression Disorder, alcohol dependence in full remission, Glaucoma with Secondary Blindness and Non24 Sleep Cycle Disorder, and was declared legally blind since 2015. Mr. Dixon has been recently subject to psychiatric evaluation, in which it was concluded he suffers from "a psychiatrically determinable impairment" that

significantly affects his ability to develop a rational understanding of the State's reasons for his execution. In particular, the psychosocial and physical stress suffered by Mr. Dixon is related to increased isolation and confinement, lack of any privacy, and 24-hour supervision, which is likely to worsen the proposed beneficiary's delusional and paranoid thinking, initiating a new depressive episode, and worsening his anxiety. In the context of his blindness, solitary confinement represents a series of difficulties and new uncertainties that will challenge all of his acquired abilities to manage his blindness.

20. Considering the above, the applicant argues that Mr. Dixon's disabilities and mental illnesses, paired with prolonged solitary confinement and 24-hour continuous observation constitutes torture and inhumane treatment.

vi. Execution date

21. The applicant alleges that the proposed beneficiary is scheduled for execution on May 11, 2022, at 10am (PST).

B. Observations of the State

22. The Commission has not requested information from the State in the present procedure, considering the immediacy of the threatened harm that admits no delay, in accordance with article 25(5) of the Commission's Rules of Procedures.

III. ANALYSIS OF THE ELEMENTS OF SERIOUSNESS, URGENCY AND IRREPARABILITY

23. The precautionary measures mechanism is part of the Commission's functions of overseeing Member States' compliance with the human rights obligations established in Article 106 of the Charter of the Organization of American States ("OAS"). These general functions are set forth in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. Moreover, the precautionary measures mechanism is enshrined in Article 25 of the Rules of Procedure, by which the Commission grants precautionary measures in serious and urgent situations, where such measures are necessary to prevent irreparable harm.

24. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have repeatedly established that precautionary and provisional measures have a dual nature, both protective and precautionary. Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights. To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted. Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the consideration of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the request pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if

necessary, to implement the ordered reparations. In the process of reaching a decision, and according to Article 25(2) of the Rules of Procedure, the Commission considers that:

- a. “serious situation” refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the Inter-American System;
- b. “urgent situation” is determined by means of the information provided and refers to risk of threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and,
- c. “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

25. In analyzing these requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. Rather, the purpose of the assessment of the information provided should be to determine *prima facie* if a serious and urgent situation exists.

26. As a preliminary observation, the Commission considers it necessary to highlight that, according to its mandate, it is not called upon to determine the criminal responsibility of individuals in relation to their alleged commission of crimes or infractions. Additionally, the IACHR does not have the mandate, through the precautionary measures mechanism, to determine whether the State has incurred violations of the American Declaration as a result of the alleged events. In this sense, the Commission reiterates that, with respect to the precautionary measures’ procedure, it is only called upon to analyze whether the proposed beneficiary is in a situation of seriousness and urgency facing harm of an irreparable nature, as established in Article 25 of its Rules of Procedure. With regards to P-831-22, which alleges violations of the rights of the proposed beneficiary, the Commission recalls that the analysis of these claims will be carried out in compliance with the specific procedures of its Petition and Case System, in accordance with the relevant provisions of its Statute and Rules of Procedures.

27. The Commission also finds it pertinent to underscore that, while the exhaustion of domestic remedies is indeed a requirement for the admissibility of petitions in accordance with Article 31 of its Rules of Procedure, this same requirement does not apply to the granting of precautionary measures. In this sense, Article 25.6.a of the Rules of Procedure establishes that whether the situation has been brought to the attention of the pertinent authorities, or the reasons why it would not have been possible to do so, should be considered when reviewing a request for precautionary measures. However, such actions do not bar the Commission from granting precautionary measures under the consideration of the requirements of seriousness, urgency and irreparable harm. Additionally, as indicated above, the Commission’s competence to grant precautionary measures extends to all Member States of the OAS and does not derive solely from the American Convention on Human Rights.

28. Additionally, the Inter-American Commission recalls that the death penalty has been subject to strict scrutiny within the inter-American human rights system. While most OAS Member States have abolished the death penalty, a significant minority still hold on to this form of punishment. With regards to the States that maintain the death penalty, there are a series of restrictions and limitations established in regional human rights instruments that States are bound to comply with in accordance

with international law. These restrictions and limitations are based on the broad recognition of the right to life as the supreme human right and as the *sine qua non* of the enjoyment of all other rights, thus requiring greater scrutiny to ensure that any deprivation of life resulting from the application of the death penalty complies strictly with the requirements of the applicable inter-American human rights instruments, including the American Declaration. In this sense, the Commission has underlined that the right to due process plays an essential role in guaranteeing the protection of the rights of persons who have been sentenced to death. In order to protect due process guarantees, States have the obligation to ensure the exercise of the right to a fair trial, the strictest compliance with the right to defense, and the right to equality and non-discrimination. In this sense, the Commission highlights that it has granted a number of precautionary measures to individuals on death row, considering both the precautionary and protective dimensions of the precautionary measures' mechanism.

29. Moreover, the Commission observes that the proposed beneficiary is 66 years old and a member of the Navajo Nation, living with a mental illnesses and visual impairment (blindness). He was sentenced to death in January, 2008, and is currently being held in solitary confinement. In this sense, the Commission notes that this context brings out an case of multiple discrimination based on the intersection of the following factors: of ethno-racial origin, age and disability. Taking this into account, the IACHR will proceed to analyze the procedural requirements with regards to Mr. Dixon.

30. In the present matter, the Commission considers that the requirement of seriousness has been fulfilled. With regards to the precautionary dimension, the Commission observes that, according to the petition P-831-22 presented by the applicant, the legal proceedings which led to Mr. Dixon's death sentence allegedly did not comply with his rights to a fair trial and due process of law. In particular, the applicant claims that, during the criminal proceedings, Mr. Dixon's defense lawyers presumably failed to provide necessary counsel and did not object that he represented himself in the capital trail, despite his mental illnesses and incompetence to stand trial on his own. Additionally, the applicant argued that Mr. Dixon informed the court during the trial, that he did not what was going on and that he wasn't made aware of the evidence against him until said trail, however, no motion nor claim was made on his behalf. Furthermore, the proposed beneficiary was seriously affected in the defense of his case allegedly due to lack of competent legal counsel and, as a result, the jury convicted him of murder and sentenced him to death, without considering his personal background nor mental health issues.

31. In this regard, while the imposition of the death penalty is not prohibited *per se* under the American Declaration, the Commission has recognized systematically that the possibility of an execution in such circumstances is sufficiently serious to permit the granting of precautionary measures to the effect of safeguarding a decision on the merits of the petition filed.

32. Regarding the protective dimension, the Commission observes that Mr. Dixon remains on deathwatch in Arizona, where he has been held in solitary confinement while awaiting execution. The Commission has stated that "in no instance should solitary confinement of an individual last longer than thirty days". It has further concluded that "it is widely established in international human rights law that solitary confinement for extended periods of time constitutes at the very least a form of cruel, inhuman or degrading treatment or punishment". As for the impact that solitary confinement may cause on the rights to life and personal integrity of an individual, the former United Nations Special Rapporteur on Torture, Juan E. Mendez, has stated that:

Individuals held in solitary confinement suffer extreme forms of sensory deprivation, anxiety, and exclusion, clearly surpassing lawful conditions of deprivation of liberty. Solitary confinement, in combination with the foreknowledge of death and the uncertainty of whether or when an execution is to take place, contributes to the risk of serious and irreparable mental and physical harm and suffering to the inmate. Solitary confinement used on death row is by definition prolonged and indefinite and thus constitutes cruel, inhuman, or degrading treatment or punishment or even torture.

33. The Commission further emphasizes the serious impacts of long-term deprivation of liberty on death row, known as the “death row phenomenon”, which:

(...) consists of a combination of circumstances that produce severe mental trauma and physical deterioration in prisoners under sentence of death. Those circumstances include the lengthy and anxiety-ridden wait for uncertain outcomes, isolation, drastically reduced human contact and even the physical conditions in which some inmates are held. Death row conditions are often worse than those for the rest of the prison population, and prisoners on death row are denied many basic human necessities.

34. In this sense, in the case of Russell Bucklew, the IACHR found that “the very fact of spending 20 years on death row is, by any account, excessive and inhuman”. In the case of Víctor Saldaño, the Commission concluded that “holding Víctor Saldaño on death row for more than 20 years in solitary confinement has constituted a form of torture, with severe and irreparable detriment to his personal integrity and, especially, his mental health”.

35. While in the present matter, the Commission does not have enough information regarding the conditions of Mr. Dixon’s detention, it notes that the allegations of the applicant that the proposed beneficiary has been imprisoned for 35 years and has been diagnosed with various mental illnesses such as Schizophrenia Paranoid Type, Major Depression Disorder, alcohol dependence in full remission and Non24 Sleep Cycle Disorder. He also suffers from Glaucoma with Secondary Blindness and was declared legally blind in 2015. Due to solitary confinement as well as lack of privacy and 24-hour supervision, the proposed beneficiary currently suffers from psychosocial and physical stress, which will likely worsen his mental state, being subject to new depressive episode, and an increase in his anxiety. In addition, the fact that proposed beneficiary is legally blind, solitary confinement represents a significant challenge in his abilities to manage under those circumstances. In the opinion of the IACHR, the foregoing could have a severe impact and deterioration on his mental and physical health in the context of the conditions in which he has been held.

36. In view of the aspects stated above, and without prejudice of the petition presented, the Commission concludes that the rights of Mr. Dixon are *prima facie* at risk due to the possible execution of the death penalty, and its subsequent effects on his petition which is currently under the Commission’s analysis, as well as his ongoing conditions of detention in solitary confinement on death row and its impact on his rights to life and personal integrity.

37. The IACHR considers that the requirement of urgency has been fulfilled. Regarding the precautionary dimension, according to the information presented by the applicant, on May 26, 2020, the U.S Supreme Court denied the proposed beneficiary’s writ of certiorari. It is also noted

that on April 28, 2022, the Board of Executive Clemency denied relief to Mr. Dixon regarding a clemency procedure. Despite pending post-conviction claims before the state and federal courts filed by the proposed beneficiary before the domestic courts addressing various allegations. Mr. Dixon is to be scheduled for execution on May 11, 2022, meaning that his execution is to be carried out imminently and in matter of hours, which represents an imminent situation.

38. In this scenario, the Commission estimates that even with the decision of the state and/or federal courts to stay the execution of the death penalty, the execution date at the moment is in force. Also, it will take place tomorrow without the enough time for his other claims to be resolved by the domestic courts. Therefore, considering the imminent possibility the death penalty being applied, the Commission considers it is necessary to adopt precautionary measures in order to protect Mr. Dixon's life and physical integrity and to examine the petition presented by the applicant according to the Rules of Procedure.

39. In this same sense, regarding the protective dimension, the Commission considers that the risks to the proposed beneficiary's rights require immediate measures given his mental and physical conditions in solitary confinement on death row and before the possible execution of the death penalty. In that regard, the IACHR does not have information which indicates that no measures are being adopted by domestic courts or administrative authorities to ensure humane detention conditions and to prevent any harm to Mr. Dixon.

40. The Commission considers that the requirement of irreparability has been fulfilled, insofar as the potential impact on the rights to life and personal integrity of proposed beneficiary constitutes the maximum situation of irreparability. Furthermore, the IACHR estimates that if Mr. Dixon is executed before the Commission has had the opportunity to evaluate P-831-22 any eventual decision on the merits of the case would be rendered moot, given that the situation of irreparable harm would already be materialized.

41. Finally, in accordance with Article 25(5) of the Rules of Procedure, the Commission will review the relevance of keeping this precautionary measure in force or proceed to lift it. To this end, the Commission will take into account the information provided by the State and the applicants on the current situation of the proposed beneficiary.

IV. BENEFICIARY

42. The Commission declares that the beneficiary of this precautionary measure is Clarence Wayne Dixon, who is duly identified in this proceeding.

V. DECISION

43. The Inter-American Commission on Human Rights concludes that the present matter meets *prima facie* the requirements of seriousness, urgency and irreparable harm contained in Article 25 of its Rules of Procedure. Consequently, the IACHR requests that the United States of America:

- a. adopt the necessary measures to protect the life and personal integrity of Clarence Wayne Dixon;

- b. refrain from carrying out the death penalty on Clarence Wayne Dixon, until the IACHR has had the opportunity to reach a decision on his petition;
- c. ensure that Clarence Wayne Dixon's detention conditions are consistent with international standards, giving special consideration to his disabilities and medical condition;
- d. agree on the measures to be adopted with the beneficiary and his representative.

44. The Commission requests the United States of America to inform, within a period of 24 hours, as from the date of notification of this resolution, on the adoption of the precautionary measures requested and to update such information periodically.

45. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute prejudgment of any violation of the rights protected in the applicable instruments.

46. In accordance with Article 25(5) of the Rules of Procedure, the Commission will review the relevance of keeping this precautionary measure in force, or proceed to lift it, at its next session. To this end, the Commission will take into account the information provided by the State and the applicants on the current situation of the proposed beneficiary.

47. The Commission instructs its Executive Secretariat to notify this resolution to the United States of America and the applicants of this resolution.

48. Approved on May 10, 2022, by Julissa Mantilla Falcón, President; Edgar Stuardo Ralón Orellana, First Vice-President; Margarete May Macaulay, Second Vice-President; Joel Hernández García; and Roberta Clarke; members of the IACHR.

Tania Reneaum Panszi
Executive Secretary