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REPORT No. 289/25
PETITION 20-15
REPORT ON ADMISSIBILITY

MIKE SETTLE
UNITED STATES OF AMERICA

Approved electronically by the Commission on December 15, 2025.

Cite as: IACtHR, Report No. 289/25. Petition 20-15. Admissibility. Mike Settle.
United States of America. December 15, 2025.

I. INFORMATION ABOUT THE PETITION

Petitioner:	Mike Settle
Alleged victim:	Mike Settle
Respondent State:	United States of America ¹
Rights invoked:	Articles II (equality before the law), XVIII (fair trial), and XXVI (due process of law) of the American Declaration of the Rights and Duties of Man ²

II. PROCEDURE BEFORE THE IACHR³

Filing of the petition:	January 9, 2015
Additional information received during the review stage:	November 20, 2015 and January 15, 2016
Notification of the petition to the State:	August 25, 2023
State's first response:	September 9, 2024
Notification of possible archiving:	May 31, 2023
Petitioner's response to notification of possible archiving:	August 3, 2023

III. COMPETENCE

Competence <i>Ratione personae</i>:	Yes
Competence <i>Ratione loci</i>:	Yes
Competence <i>Ratione temporis</i>:	Yes
Competence <i>Ratione materiae</i>:	Yes, American Declaration (ratification of the OAS Charter on June 19, 1951)

IV. DUPLICATION OF PROCEEDINGS AND INTERNATIONAL *RES JUDICATA*, CHARACTERIZATION, EXHAUSTION OF DOMESTIC REMEDIES, AND TIMELINESS OF THE PETITION

Duplication of proceedings and international <i>res judicata</i>:	No
Rights declared admissible:	Articles I (right to personal integrity), XI (right to the preservation of health and to well-being), and XVIII (right to a fair trial) of the American Declaration.
Exhaustion of domestic remedies or applicability of an exception:	Yes, under the terms of section VI
Timeliness:	Yes, under the terms of section VI

V. POSITION OF THE PARTIES

The petitioner⁴

1. Mr. Mike Settle, as petitioner and alleged victim, contends both that legal authorities imposed a criminal sentence that violates his human rights and that he is being held in solitary confinement in prison.

¹ Hereinafter, "the United States," "the U.S.," or "the State."

² Hereinafter, "the Declaration" or "the American Declaration."

³ Each party's observations were duly transmitted to the other party.

⁴ The petition consists of several short communications—with little information—and a number of annexes. This report aims to narrow the information down into the most important aspects of the petitioner's claim.

Criminal case

2. According to the petition's annexes, in 2001, the Circuit Court of Madison County, Virginia sentenced Mr. Settle (hereinafter, the "alleged victim" or "the petitioner") to six years in prison for the crime of felony escape, 25 years for aggravated kidnapping, 25 years for aggravated robbery, and 15 years for aggravated assault. In its decision, the Court indicated that Mr. Settle had been transferred from the Hardeman County Correctional Center to a hospital in Jackson, Tennessee due to illness. Two days after being admitted to the hospital, the alleged victim reportedly overpowered a guard, gained control of the guard's weapon, and pointed it at his head. The alleged victim subsequently escaped with a hostage in a stolen vehicle and was later recaptured and returned to prison.

3. Mr. Settle questions the Court's order that his sentence be served "concurrently" with a previous federal conviction, indicating that, in his opinion, such decision violated his human rights. He does not, however, provide further details as to why this decision would be prejudicial.

4. In this connection, the petitioner states that between 2001 and 2012, he filed a writ of *certiorari* as well as numerous habeas corpus petitions. According to the petition's annexes, these were allegedly dismissed initially on substantive grounds, and subsequently for failure to comply with procedural deadlines or to pay court costs at the time of filing.

5. According to the information provided, the alleged victim reportedly filed a final habeas corpus petition on October 24, 2013 challenging his conviction. However, his claim was dismissed. Mr. Settle states that he appealed this decision, but the Supreme Court rejected his appeal on June 24, 2014, finding that he had not demonstrated that his sentence was unfounded or that his conviction had elapsed.

Alleged solitary confinement

6. Finally, Mr. Settle asserts that he has remained in solitary confinement for 16 years following his attempted escape, which, in his view, constitutes an act of torture. He claims to have suffered both mental and physical harm as a consequence of such confinement. Based on this information, on June 24, 2025, the IACR, through an information request, asked him to provide further details regarding this situation and to indicate whether he had challenged it before any authority. In response, the petitioner submitted copies of written requests he sent to penitentiary and judicial authorities between 2022 and 2023, seeking his transfer to another correctional facility. However, the authorities informed him that his requests did not include medical certificates or evidence substantiating the need to modify his detention conditions. The documentation submitted to the Commission includes only an email from the prison's clinical director, who stated that Mr. Settle is being treated with Prozac and Vistaril for depression; that the alleged victim is exhibiting signs of mental deterioration; that he no longer participates in recreational activities; and that he would "rather die than live in confinement with no hope of release."

7. According to the petition's annexes, the alleged victim is currently being treated for depression with Prozac and Vistaril and is showing signs of mental decline. It is not possible to glean more information from the petition.

The State

8. The State, for its part, explains that Mr. Settle has filed multiple actions in both state and federal courts pertaining to his prison sentences and alleged conditions of detention. Specifically, the petitioner contends that his conviction, stemming from his escape from a hospital while receiving medical treatment—during which he took a guard hostage after stripping him of his weapon—was to be imposed consecutively to a prior sentence, but that, under a plea agreement entered into in January 2001, the sentences were set to run concurrently.

9. Regarding the petitioner's allegations of being deprived of his right to counsel during his appeals and of solitary confinement without adequate access to mental health care, the State indicates that

Mr. Settle has availed himself of numerous legal remedies, including habeas corpus petitions, petitions for writ of *coram nobis*, and other post-conviction actions, which were consistently dismissed by the U.S. courts. In particular, both Tennessee courts and federal courts dismissed his appeals on procedural and substantive grounds, stating that the allegations were unsubstantiated or that the actions were time-barred.

10. Based on the foregoing, the United States argues that the petition is inadmissible due to a failure to exhaust domestic remedies, further contending that Mr. Settle's filing of successive habeas corpus petitions cannot serve to indefinitely extend the timeline for appealing to the inter-American system. The State further notes that the petitioner entered into a plea agreement in 2001, and that as a result, computation of the six-month deadline for filing the petition should start from that date, or alternatively, from the denial of his first effective remedy (request for legal counsel) in 2003. The State argues that allowing repetitive and late remedies, such as the alleged victim's fifth habeas corpus appeal—which was denied in 2014—to reset the six-month deadline would erode the principle of legal certainty and distort the requirements for exhaustion of domestic remedies and timeliness of the petition.

11. As to the allegations of solitary confinement, the U.S. indicates that the petitioner has not provided any evidence that he has attempted to exhaust domestic remedies in this connection.

12. The State further considers that the petition is inadmissible on the grounds that the petitioner's allegations lack sufficient support to constitute potential violations of the human rights established in the Declaration. The U.S. argues that, on the contrary, the petitioner is seeking to have the Commission act as a fourth judicial instance and review the findings of fact and law made by the domestic judges and courts, who acted within their purview.

13. The United States argues that both state and federal courts carefully weighed the merits of the petitioner's arguments, and that Mr. Settle has not demonstrated any evident due process violations that warrant the Commission's intervention. Consequently, the State requests that the fourth instance doctrine be applied and the petition be declared inadmissible.

14. The State also points out that Mr. Settle voluntarily entered into a plea agreement under conditions of adequate representation, securing a concurrent sentence that, if anything, was beneficial to him with respect to the actual time he would serve in prison. It further noted that even if there had been an error in ordering the concurrence of the sentences, this would not *per se* constitute a human rights violation.

15. Regarding the alleged solitary confinement, the United States reiterates that the petitioner has not provided sufficient information to evaluate the existence of treatment contrary to international standards. In view of the foregoing, the State respectfully asks the Commission to declare inadmissible the petition lodged by Mr. Settle.

VI. ANALYSIS OF EXHAUSTION OF DOMESTIC REMEDIES AND TIMELINESS OF THE PETITION

16. The IAC^{HR} recalls that, in accordance with its longstanding practice, when it comes to determining the remedies that should be exhausted before turning to the Inter-American system, first the specific claim of the petition must be established. In the instant case, the Commission notes that the petitioner is challenging both his conviction and the conditions of his detention. It considers that he exhausted domestic remedies with the habeas corpus petition he filed against his criminal sentence.

17. For its part, the United States has asserted that Mr. Settle's filing of successive habeas corpus petitions cannot serve to indefinitely extend the timeline for appealing to the inter-American system. From its standpoint, only the first of these—filed in 2003—should be considered in the Commission's analysis, meaning the rest cannot be used to reset the six-month period provided for in the IAC^{HR}'s Rules of Procedure, as doing so would erode the principle of legal certainty and distort the requirements pertaining to exhaustion of domestic remedies and timeliness of the petition. As to the allegations of solitary confinement, the State

indicates that the petitioner has not provided any evidence that he has attempted to exhaust domestic remedies in this connection.

18. Accordingly, the Commission recalls that, as a general rule, petitioners must first exhaust domestic remedies in accordance with domestic procedural law. The IACtHR cannot regard this requirement to have been duly complied with if the claims filed were rejected on reasonable and non-arbitrary procedural grounds.⁵ In the instant case, the Commission notes that while the alleged victim did initially avail himself of the habeas corpus remedy correctly, his subsequent claims were dismissed for failure to comply with the procedural requirements of domestic law. Furthermore, the petitioner has not provided evidence or arguments that would allow the Commission to conclude that such decisions were arbitrary or unreasonable. Given this lack of information, the IACtHR deems that it does not have sufficient elements to establish that the requirements of Article 46(1)(a) of the Convention have been met.

19. Notwithstanding the foregoing, with respect to the alleged victim's conditions of detention, the information he provided shows that he did challenge this situation and that he received responses from the judicial authorities between 2022 and 2023. Although the State initially disputed this point, in the Commission's view, the documentation submitted after the filing of the petition demonstrates that the petitioner did in fact exhaust domestic jurisdiction while the petition was under admissibility review. Accordingly, the Commission concludes that this aspect of the petition satisfies Articles 31 and 32 of its Rules of Procedure.

VII. ANALYSIS OF COLORABLE CLAIM

20. The Commission acknowledges that it is not competent to review judgments issued by domestic courts acting within their jurisdiction, provided that such proceedings comply with due process and judicial guarantees. However, it reiterates that, pursuant to its mandate, it is empowered to declare a petition admissible and to examine its merits when domestic proceedings may have resulted in violations of rights protected under the American Declaration.

21. In the present case, the Commission notes that the alleged victim reports a series of circumstances that warrant a more detailed examination of his conditions of detention. Should the petitioner's allegations be corroborated, they would require prompt and effective action by the authorities to safeguard his rights. In the Commission's view, these claims must be assessed at the merits stage in order to determine whether omissions or actions attributable to the State affected any of the rights or guarantees enshrined in the American Declaration.

22. In light of the foregoing, the Commission will proceed to an examination of the merits of the case, ensuring full respect for due process and the right of defense of both parties. After assessing the arguments submitted, the IACtHR considers that the petitioner's claims are not manifestly groundless and, *prima facie*, may characterize violations of the rights recognized in Articles I (right to personal integrity), XI (right to the preservation of health and to well-being), and XVIII (right to a fair trial) of the American Declaration.

VIII. DECISION

1. Declare this petition admissible in relation to Articles I, XI and XVIII of the American Declaration.

2. To notify the parties of this decision; to continue with the analysis of the merits of the matter; and publish this decision and include it in its Annual Report to the General Assembly of the Organization of American States.

⁵ IACtHR, Report No. 90/03, Petition 0581/1999, Inadmissibility, Gustavo Trujillo González, Peru, October 22, 2003, para. 31.

Approved by the Inter-American Commission on Human Rights on the 15th day of the month of December, 2025. (Signed:) José Luis Caballero Ochoa, President; Andrea Pochak, Vice President; Roberta Clarke and Gloria Monique de Mees, Commissioners.