

October 26, 2022

**RE: Anastasio Hernández Rojas and family
14.042
United States**

Dear petitioner:

I am pleased to address you on behalf of the Inter-American Commission on Human Rights (IACHR). After having analyzed the statements provided, as well as the observations submitted by the parties, the Commission has decided to proceed with the public hearing as indicated in its note dated October 4, 2022, in accordance with the provisions of Article 68 of its Rules of Procedure.

Regarding the hearing's structure, the Commission shall call first the following persons to testify, in the order listed below:

1. Maria Puga Moran - Ms. Puga will describe the alleged severe and long-term impacts and stigma she and her family members have suffered due to the facts presented in the case, and her efforts to hold border agents accountable to ensure that the violations do not reoccur.

2. Rafael Barriga - Mr. Barriga will recount what he witnessed on May 28, 2010, at the San Ysidro Port of Entry in relation to Anastasio Hernandez Rojas. Mr. Barriga will also recount his experience when he was called to testify before a grand jury by prosecutors with the U.S. Department of Justice.

Each declarant shall be examined by the party offering the evidence for up to 10 minutes. The opposing party shall also have the opportunity to cross-examine for up to 10 minutes. At the end of each examination, the IACHR may ask questions to the declarants.

Second, the Commission shall hear oral arguments from the parties. Initially, the petitioner will have up to 15 minutes to present its oral arguments. Subsequently, the State will have the same time to present its response. Both parties shall have the right to rejoinder and reply for up to 5 minutes each. Finally, the IACHR may ask questions to both parties if deemed necessary.

Petitioner(s)
Roxanna Altholz
International Human Rights Law Clinic, University of California,
Berkeley School of Law
raltholz@law.berkeley.edu

Andrea Guerrero
Alliance San Diego
andrea@alliancesd.org

10/25/2022-MO-3297335

I would like to inform you that the Executive Secretariat of the IACHR will send a personalized invitation to participate in the hearing through the Zoom platform to the e-mail addresses indicated by the parties. Please be present at the designated venue 10 minutes prior to the time of the hearing.

The Commission wishes to inform that, due to the time allotted for the hearing, the statement you offered of a witness who was not summoned to testify (James F. Tomsheck), may be submitted to the IACHR in writing, within two weeks from the date of the hearing. If such documentation is sent, it will be forwarded to the State so they may present their observations.

In addition, the Commission informs that both the State and the petitioners have 30 days after the hearing to present their final written observations.

Finally, I would like to acknowledge receipt of your communications dated October 23 and October 24, both of 2022. Due note has been taken of that information, and it has been incorporated into the file for the relevant purposes.

Sincerely,

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Jorge Meza
Assistant Executive
Secretary