

04-10566 SANCHEZ-LLAMAS V. OREGON

DECISION BELOW:108 P3d 573

LOWER COURT CASE NUMBER: S51289

QUESTIONS PRESENTED:

1. Does the Vienna Convention convey individual rights of consular notification and access to a foreign detainee enforceable in the Courts of the United States?
2. Does the state's failure to notify a foreign detainee of his rights under the Vienna Convention result in the suppression of his statements to police?
3. Do police violate an intoxicated foreign detainee's rights under the Fifth and Fourteenth Amendments to the United States Constitution when they obtain custodial statements from that detainee after he has been beaten, continually questioned for 11 hours and not informed of his rights to consular notification and access?

CERT. GRANTED 11/7/2005

LIMITED TO QUESTIONS 1 AND 2 PRESENTED BY THE PETITION.
CONSOLIDATED WITH 05-51 FOR ONE HOUR ORAL ARGUMENT.