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A U.S. appeals court has cleared the way for a one-time member of El Salvador's military High Command to be tried in Spain for his role in the 1989 Jesuit massacre, one of the most notorious atrocities of the country's civil war.

The 4th Circuit Court of Appeals Sept. 28 denied a request by former Col. Inocente Orlando Montano for a stay of extradition, removing a legal impediment that all but enables Spain to try him for the massacre. Secretary of State Rex Tillerson has the final say over whether Montano is sent to Madrid.

An elite U.S.-trained Salvadoran unit has been cited for the massacre in which six Jesuit priests, their housekeeper and her daughter were assassinated. Five of the six priests were from Spain.

Montano sought the stay from the 4th Circuit after a U.S. District judge upheld a 2016 lower court ruling by Magistrate Kimberly Swank approving the extradition.

Swank concluded that the evidence showed Montano had participated in the "terrorist" murder, tried to hide the military's responsibility, and attended key meetings to plot the assassination of Jesuit Fr. Ignacio Ellacuría, along with all witnesses

At the time, Montano was the Vice Minister of Defense for Public Safety, in command of the National Police, the Treasury Police, and the National Guard, while Ellacuría was the rector of the University of Central America where the massacre occurred and a key mediator in peace talks that included discussions about purging military officers linked to atrocities.

Montano — like the majority of the officers cited for the massacre by the U.N. Truth Commission — is a graduate of the U.S. Army's School of the Americas, now known as the Western Hemisphere Institute for Security Cooperation.

Montano is also a graduate of the Jesuit university where the massacre took place.

Montano illegally entered the U.S. in 2002, falsely stating on immigration papers that he had never been a member of the Salvadoran military. If sent to Spain, he will be the highest-ranking official in recent U.S. history to be extradited for human rights violations.

[Linda Cooper and James Hodge are the authors of *Disturbing the Peace: The Story of Father Roy Bourgeois and the Movement to Close the School of the Americas.*]

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