

## **CANCELLATION OF REMOVAL FOR LEGAL PERMANENT RESIDENTS**

**Cancellation of removal for legal permanent residents is a form of relief that allows individuals who meet certain requirements to stay in the United States. Cancellation is like a pardon for past violations of certain immigration laws. It allows people to keep their legal permanent resident status.**

### **Are you a legal permanent resident?**

If you are a legal permanent resident and you meet the requirements listed below, you may be eligible for cancellation:

1. You have been a legal permanent resident for at least **5 years**;
2. You have lived continuously in the United States for at least **7 years**;
3. You have not been convicted of an “aggravated felony” (discussed below);
4. You have not previously been granted Cancellation or certain other waivers.

### **How do you apply for Cancellation?**

- If you believe that you are eligible for Cancellation, you should tell the Immigration Judge.
- The Immigration Judge will give you [Form EOIR 42A](#) Application for Cancellation of Removal to fill out and submitted with the court. To have a successful application, you should submit documents to support your application and have witnesses testify in court.

### **How do you show that you meet the eligibility requirements?**

1. **You will have to show that you have lived in the United States for seven (7) years (after having been admitted lawfully in any status) and that during at least five (5) of these years you were a legal permanent resident.** To do this you can collect the following evidence:
  - Rent Receipts
  - School records
  - Medical or dental records
  - Social Security records
  - Payroll records and income tax records
  - Utility bills
  - Children’s birth certificates
  - Marriage certificate

**2. You will have to show that you have not been convicted of an aggravated felony.**  
You can show that you have not been convicted of an aggravated felony by obtaining your criminal records and presenting them to the judge.

**3. You should show the Judge good things about yourself. Show the Judge how your family will suffer if you are deported.**

To do this you can collect the following evidence:

- Letters from family members, co-workers, neighbors, or religious leaders
- Documents showing your ties to the United States
- Photographs of you and your family
- If you have ever served in the military, documents to prove your service
- Tax records
- Your house deed
- Employment history

### **How should you prepare for your Cancellation hearing?**

- You should be prepared to testify in your hearing and give truthful answers to the government's questions.
- You should also have your friends and family come to court to testify on your behalf in order to help show that you deserve to stay in the United States.
- It can be difficult to win Cancellation. It is usually best to have a lawyer represent you in your case.