ADVICE TO APPLICANT

PLEASE READ CAREFULLY, FEES WILL NOT BE RETURNED.

- **I.** Permanent Resident Aliens Eligible for Cancellation of Removal: You may be eligible to have your removal cancelled under section 240A(a) of the Immigration and Nationality Act (INA). To qualify for this benefit, you must establish in a hearing before an Immigration Judge that:
 - **A.** You have been a permanent resident for at least five (5) years;
 - **B.** You have at least seven (7) years continuous residence in the United States after having been lawfully admitted in any status prior to service of the Notice to Appear, or prior to committing a criminal or related offense referred to in sections 212(a)(2) and 237(1)(2) of the INA, or prior to committing a security or related offense referred to in section 237(1)(4) of the INA; and
 - **C.** You have not been convicted of an aggravated felony.

NOTE: If you have served on active duty in the Armed Forces of the United States for at least 24 months, you do not have to meet the requirements of continuous residence in the United States. You must, however, have been in the United States when you entered the Armed Forces. If you are no longer in the Armed Forces, you must have been separated under honorable conditions.

- **II.** Permanent Resident Aliens NOT Eligible for Cancellation of Removal: You are not eligible to have your removal cancelled under section 240A(a) of the INA if you:
 - **A.** Entered the United States as a crewman after June 30, 1964;
 - **B.** Were admitted to the United States as, or later became, a nonimmigrant exchange alien as defined in section 101(a)(15)(J) of the INA in order to receive a graduate medical education or training, regardless of whether you are subject to or have fulfilled the 2-year foreign residence requirement of section 212(e) of the INA;
 - C. Were admitted to the United States as, or later became, a nonimmigrant exchange alien as defined in section 101(a)(15)(J) of the INA, other than to receive graduate medical education or training, and are subject to the 2-year foreign residence requirement of section 212(e) of the INA but have neither fulfilled nor obtained a waiver of that requirement;
 - **D.** Are an alien who is either inadmissible under section 212(a)(3) of the INA or deportable under section 237(a)(4) of the INA;
 - **E.** Are an alien who ordered, incited, assisted, or otherwise participated in the persecution of an individual because of the individual's race, religion, nationality, membership in a particular social group, or political opinion; or
 - **F.** Are an alien who was previously granted relief under section 212(c) of the INA, or section 244(a) of the INA as such sections were in effect prior to the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, or whose removal has previously been cancelled under section 240A of the INA.

III. How Permanent Resident Aliens Can Apply for Cancellation of Removal

If you believe that you have met all the requirements for cancellation of removal, you must answer all the questions on the attached Form EOIR-42A fully and accurately. You must pay the filing and biometrics fees and comply with the Department of Homeland Security (DHS) instructions for providing biometric and biographic information to USCIS [available at http://uscis.gov]. You must also serve a copy of your application on the Assistant Chief Counsel for the DHS, U.S. Immigration and Customs Enforcement (ICE) as required in the proof of service on page 7 of this application, and you must file your application with the appropriate Immigration Court. Please read the following instructions carefully before completing your application.

INSTRUCTIONS

1. PREPARATION OF APPLICATION.

To apply for cancellation of removal as a permanent resident alien under section 240A(a) of the Immigration and Nationality Act (INA), you must fully and accurately answer all questions on the attached Form EOIR-42A. You must also comply with all of the instructions on this form. These instructions have the force of law. A separate application must be prepared and executed for each person applying for cancellation of removal. An application on behalf of an alien who is mentally incompetent or is a child under 14 years of age shall be executed by a parent or guardian.

Your responses must be typed or printed legibly in ink. Do not leave any questions unanswered or blank. If any questions do not apply to you, write "none" or "not applicable" in the appropriate space.

To the extent possible, answer all questions directly on the form. If there is insufficient room to respond fully to a question, please continue your response on an additional sheet of paper. Please indicate the number of the question being answered next to your response on the additional sheet, write your alien registration number, print your name, and sign, date, and securely attach each additional sheet to the Form EOIR-42A.

2. BURDEN OF PROOF.

The burden of proof is on you to prove that you meet all of the statutory requirements for cancellation of removal for certain permanent resident aliens under section 240A(a) of the INA and that you are entitled to such relief as a matter of discretion. To meet this burden, your responses to the questions on the application should be as detailed and complete as possible. You should also attach to your application any documents that demonstrate your eligibility for relief (see "SUPPORTING DOCUMENTS" below).

3. SUPPORTING DOCUMENTS.

You should submit with your application copies of any documents which the Department of Homeland Security (DHS), formerly the Immigration and Naturalization Service, issued to you. You should also submit all documents related to your criminal history, including all conviction records. The Immigration Judge may require you to submit additional records relating to your request for cancellation of removal.

The original of all supporting documents must be available for inspection at the hearing. If you wish to have the original documents returned to you, you should also present reproductions.

4. REQUIRED BIOMETRIC AND BIOGRAPHIC INFORMATION.

Each applicant 14 years of age or older must also comply with the requirement to supply biometric and biographic information. You will be given instructions on how to complete this requirement. You will be notified in writing of the location of the Application Support Center (ASC) or the designated Law Enforcement Agency where you must go to provide biometric and biographic information. You will also be given a date and time for the appointment. It is important to furnish all the required information. Failure to comply with this requirement may result in a delay in your appointment or in your application being deemed abandoned and dismissed by the Immigration Court.

5. TRANSLATIONS.

Any document in a foreign language must be accompanied by an English language translation and a certificate signed by the translator stating that he/she is competent to translate the document and that the translation is true and accurate to the best of the translator's abilities. Such certification must be printed legibly or typed.

6. FEES.

Before you file your Form EOIR-42A with the Immigration Court, you must pay the required \$100 filing fee and the biometrics fee to the DHS. Evidence of payment of these fees in the form of a copy of the DHS, U.S. Citizenship and Immigration Services (USCIS) ASC notice of fee receipt and biometrics appointment instructions must accompany your Form EOIR-42A. These fees will not be refunded, regardless of the action taken on your application. Therefore, it is important that you read the advice, instructions, and application carefully before responding. If you are unable to pay the filing fee, you may ask the Immigration Judge to permit you to file your Form EOIR-42A without fee (fee waiver).

DO NOT SEND CASH. All fees must be submitted in the exact amount. Remittance may be made by personal check, cashier's check, certified bank check, bank international money order, or foreign draft drawn on a financial institution in the United States and payable to the "Department of Homeland Security" in United States currency. If the applicant resides in the Virgin Islands, the check or money order must be payable to the "Commissioner of Finance of the Virgin Islands." If the applicant resides in Guam, the check or money order must be made payable to the "Treasurer, Guam." Personal checks are accepted subject to collectibility. An uncollectible check will render the application and any documents issued pursuant thereto invalid. A charge of \$30.00 will be imposed if a check in payment of a fee is not honored by the bank on which it is drawn. When the check is drawn on an account of a person other than the applicant, the name and alien registration number of the applicant must be entered on the face of the check. All checks must be drawn on a bank located in the United States.

7. SERVING & FILING YOUR APPLICATION.

- A. You must first comply with the DHS instructions for providing biometric and biographic information to USCIS, which involves sending a copy of the application to the appropriate USCIS Service Center. The DHS instructions also address payment of the application fees.
- B. You must then serve the following documents on the Assistant Chief Counsel for DHS, U.S. Immigration and Customs Enforcement (ICE):
 - a copy of your Form EOIR-42A, Application for Cancellation of Removal, with all supporting documents and additional sheets;
 - a copy of the USCIS ASC notice of fee receipt and biometrics appointment instructions; and
 - the original Biographical Information Form G-325A.

You must file the following documents with the appropriate Immigration Court:

- the original Form EOIR-42A with all supporting documents and additional sheets;
- a copy of the USCIS ASC notice of fee receipt and biometrics appointment instructions;
- a copy of the Biographical Information Form G-325A; and
- a completed certificate showing service of these documents (See Part 10 of the Application on page 7) on the ICE Assistant Chief Counsel, unless service is made on the record at the hearing.

Retain your USCIS ASC biometrics confirmation document or a copy of your Fingerprint Card, FD-258, if applicable, as proof that your biometrics were taken, and bring it to your future Immigration Court hearings.

8. PENALTIES.

You must answer all questions on Form EOIR-42A truthfully and submit only genuine documents in support of your application. You will be required to swear or affirm that the contents of your application and the supporting documents are true to the best of your knowledge. Your answer to the questions on this form and the supporting documents you present will be used to determine whether your removal should be cancelled and whether you should be permitted to retain your permanent resident status. Any answer you give and any supporting document you present may also be used as evidence in any proceeding to determine your right to be admitted or readmitted, re-enter, pass through, or reside in the United States. Your application may be denied if any of your answers or supporting documents are found to be false. Presenting false answers or false documents may also subject you to criminal prosecution under 18 U.S.C. section 1546 and/or subject you to civil penalties under 8 U.S.C. section 1324c if you submit your application knowing that the appli-cation, or any supporting document, contains any false statement with respect to a material fact, or if you swear or affirm that the contents of your application and the supporting documents are true, knowing that the application or any support-ing documents contain any false statement with respect to a material fact. If convicted, you could be fined up to \$250,000, imprisoned for up to ten (10) years, or both. 18 U.S.C. sections 1546(a), 3559(a)(4), 3571(b)(3). If it is determined you have violated the prohibition against document fraud and a final order is entered against you, you could be subject to a civil penalty up to \$2,000 for each document used or created for the first offense, and up to \$5,000 for any second, or subsequent offense. In addition, if you are the subject of a final order for violating 8 U.S.C. section 1324c, relating to civil penalties for document fraud, you will be removable from the United States.

9. PAPERWORK REDUCTION ACT NOTICE.

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can easily be under-stood, and which impose the least possible burden on you to provide us with information. Often, this process is difficult because some immigration laws are very complex. The reporting burden for this collection of information is computed as follows: (1) learning about the form, 50 minutes, (2) completing the form, 2 hours, and (3) assembling and filing the form, 3 hours, for an average of 5 hours, 50 minutes per application. If you have comments regarding the accuracy of this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this bur-den, you may write to the U.S. Department of Justice, Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041.

PLEASE READ ADVICE AND INSTRUCTIONS	Fee Stamp (Official Use Only)
BEFORE FILLING IN FORM	

1) My present true name is: (Last, First, Mid 3) My name given at birth was: (Last, First, 5) Date of Birth: (Month, Day, Year) 10) Current Nationality and Citizenship: 14) I currently reside at: Apt. number and/or in care of Number and Street City or Town 16) I have resided in the following location	RT 1 - INFORMATION	N ABOUT YOUR			
3) My name given at birth was: (Last, First, 5) Date of Birth: (Month, Day, Year) 10) Current Nationality and Citizenship: 14) I currently reside at: Apt. number and/or in care of Number and Street City or Town			SELF		
5) Date of Birth: (Month, Day, Year) 10) Current Nationality and Citizenship: 14) I currently reside at: Apt. number and/or in care of Number and Street City or Town	ddle)	2) Alien Registration	or "A'	') Number(s):	
10) Current Nationality and Citizenship: 14) I currently reside at: Apt. number and/or in care of Number and Street City or Town	, Middle)	4) Birth Place: (City	and Coun	ntry)	
14) I currently reside at: Apt. number and/or in care of Number and Street City or Town	6) Gender: ☐ Male ☐ Female	7) Height: 8) Hair Color: 9		9) Eye Color:	
Apt. number and/or in care of Number and Street City or Town	11) Social Security Number:	12) Home Phone Number: 13) Work Phone Numb			one Number:
Number and Street City or Town		15) I have been known	wn by th	ese additional n	ame(s):
City or Town		-			
· · · · · · · · · · · · · · · · · · ·		-			
16) I have resided in the following location	State Zip Code	-			
PART 2	- INFORMATION AB	OUT THIS APPI	ICAT	ION	
years, have 7 years of continuous	est that my removal be cancelled that I am eligible for this relief b s residence in the United States status of an alien lawfully admit	ecause I have been a law s, and have not been co	vful pern nvicted	nanent resident	alien for 5 or more ed felony. I was
	(P.	lace)			

PART 3 - INFORMAT	TION ABOUT YOUR	PRESEN	CE IN THE UNITE	D STATES
18) My first arrival into the United States was ur	nder the name of: (Last, First, Middl	<i>le)</i> 19) My fi	rst arrival to the United States	was on: (Month, Day, Year)
20) Place or port of first arrival: (Place or Port, of	Citv. and State)			
	,,			
21) I: was inspected and admitted.	CID (D.:1)	1 1 1 1 1 1 1	. 1	
Category on Lawful F	awful Permanent Resident card Permanent Resident card	i which is vali	(Month	h, Day, Year)
☐ I entered using a	Permanent Resident card visa (Specify Type of Visa)	a which is vali	id until	h, Day, Year)
was not inspected and admitted	•			
	uments. Explain:			
	pection. Explain:			·
Other. Explain:				·
22) I applied on	for additional time to stay	and it was	granted on	Tonth, Day, Year)
and valid until(Month, Day, Year)	, or \Box denied on		· ·	·····, = u,, ·····
				1 0 11 1 1
23) Since the date of my first entry, I departe	ed from and returned to the Un partures regardless of how brid			
If you have never departed from				
Port of Departure (Place or Port, City and State)	Departure Date (Month, Day, Year)	Purpose of Trav	/el	Destination
Port of Return (Place or Port, City and State)	Return Date (Month, Day, Year)	Manner of Retu	150	Inspected and Admitted?
Port of Return (Flace or Fort, City and State)	Return Date (Month, Day, Tear)	Manner of Rett	1111	Yes No
Port of Departure (Place or Port, City and State)	Departure Date (Month, Day, Year)	Purpose of Trav	vel	Destination
Port of Return (Place or Port, City and State)	Return Date (Month, Day, Year)	Manner of Retu	ım	Inspected and Admitted?
Total Return (Face of Fort, City and State)	Return Date (Month, Day, Tear)	Within of Rete	4111	Yes No
24) Have you ever departed the United States	s: a) under an order of deno	rtation, exclus	sion, or removal?	☐ Yes ☐ No
, y			arture?	
DADE A INFORMATION A				
PART 4 - INFORMATION A				
25) I am not married: (26) If married, to	he name of my spouse is: (Last,	, First, Middle)	27) My spouse's name befo	ore marriage was:
		20) D. (
28) The marriage took place in: (City and Country	ry)	29) Date of marriage: (Month, Day, Year)		
30) My spouse currently resides at:		31) Place an	d date of birth of my spouse:	(City & Country; Month, Day, Year)
Apt. number and/or in care of				
			ise is a citizen of: (Country)	
Number and Street 32) My spouse is a citizen of: (Country)				
City or Town	State/Country Zip Code			
33) If your spouse is other than a native born	United States citizen, answer	the following		
He/she arrived in the United States at: (Pa	lace or Port, City and State)			
He/she arrived in the United States on: (A	Month, Day, Year)			
His/her alien registration number(s) is: A#				
He/she was naturalized on: (Month, Day, Yea	ır)	at		
2024	1 70 1 1 1 .	1 1.1	(City and S	·
34) My spouse - is - is not employe	ed. If employed, please give sa	alary and the	name and address of the plac	
Full Name and Address of Employer				Earnings Per Week
				(Approximate)
				\$
				\$

ame of prior spouse: (Last, First, Middle)	Date marriage began: Date marriage ended:	Place marriage (City and Count		Description or manner of how marriage was terminated or ended:			
				I			
ame of prior spouse: (Last, First, Middle)	Date marriage began: Date marriage ended: (City and Country)		Description or manner of how marriage was terminated or ended:				
Have you been ordered by any cou		ny legal obligation	, to provi	de child su	apport and/or spousa	al maintenance a	
sult of a separation and/or divorce?		TREMOLOW	-cenim	AND E	TANGLAL C		
PART 5 - INFORMA' Since my arrival into the United State							
ork back in time. Any periods of unemp		-	_				
Full Name and Address	of Employer	Earnings Per Week (Approximate)		of Work ormed	Employed From: (Month, Day, Year)	Employed To (Month, Day, Yea	
		\$				PRESENT	
		\$					
		\$					
s) If self-employed, describe the natur	re of the business, the name of	of the business, its	address, a	nd net inc	ome derived therefro	om:	
) My assets (and if married, my spou	se's assets) in the United Sta	ates and other coun	tries, not	including	clothing and househousehousehousehousehousehousehouse	old necessities, a	
elf		_		With Spor			
ash, Stocks, and Bonds							
eal Estate							
uto (dollar value minus amount owed) ther (describe on line below)	· · · · · · · · · · · · · · · · · · ·						
ther (describe on line below)TO	Other (describe on line below) \$ TOTAL \$						
A I have have not received	public or private relief or ass	sistance (e.g., Welf	are, Unen	nployment	Benefits, Medicaid, f or assistance was a	TANF, AFDC, received place	

PART 6 -	INFORMATION ABOU	JT YOUR FAMILY (Continued on pa	ge 5)
42) I have (Numb	ver of) children. Please list informa	ation for each child below, include assets and	earnings information for
children over the age of 16 who have	separate incomes:		
Name of Child: (Last, First, Middle) Child's Alien Registration Number:	Citizen of What Country: Birth Date: (Month, Day, Year)	Now Residing At: (City and Country) Birth Place: (City and Country)	Immigration Status of Child
A#:	F.C 1	A W. 11 F C	—
Estimated Total of Assets: \$	Estimated A	Average Weekly Earnings: \$	_
A#:			—
Estimated Total of Assets: \$	Estimated A	Average Weekly Earnings: \$	
<u>A#:</u>			_
Estimated Total of Assets: \$	Estimated A	Average Weekly Earnings: \$	
43) If your application is denied, wou	ld your spouse and all of your chi	ldren accompany you to your:	·
, ,		answered "No" to any of the	
Country of Birth -	·	ses, please explain:	
_	•		
Country of Nationality -	Yes No		
Country of Last Residence -	es la No		
		have \Box - have not received public or private	
give full details including identity	of person(s) receiving relief or as	member of your immediate family has received s ssistance, dates for which relief or assistance v	vas received, place, and
45) Please give the requested informat	ion about your parents, brothers, s	isters, aunts, uncles, and grandparents, living o	r deceased. As to residence
show street address, city, and state, if			
Name: (Last, First, Middle) Alien Registration Number:	Citizen of What Country: Birth Date: (Month, Day, Year)	Relationship to Me: Birth Place: (City and Country)	Immigration Statu
Alleli Registration Number.	Bittii Date. (Month, Day, 1ear)	Place. (City and Country)	of Listed Relative
A#:			
Complete Address of Current Reside	ence if Living		
Complete readiess of Current reside	nee, ii ziving.		
Complete Address of Current Reside	ence, if Living:		
	-		

PAR	T 7 - MISCELLANEOUS	S INFORMATION (Continue	ed on page 6)	
46) I 🗖 - have not e	ntered the United States as a crewn	nan after June 30, 1964.		
47) I 🗖 - have 🗖 - have not been admitted as, or after arrival in the United States acquired the status of, an exchange alien.				
8) I 🖵 - have 🗖 - have not submitted address reports as required by section 265 of the Immigration and Nationality Act.				
imprisoned, placed on probation, or not limited to, traffic violations or dr	forfeited collateral for an act involvir riving incidents involving alcohol). (I) the offense, date of conviction, any pen	oreign country) been arrested, summoneding a felony, misdemeanor, or breach of a fanswer is in the affirmative, please give talty imposed, any sentence imposed, and	any public law or or a brief description of	dinance (including, but of each offense
· · · · · · · · · · · · · · · · · · ·	Armed Forces of the United States?	o □ - Yes □ - No. If "Yes" please	e state branch (Arm	y, Navy, etc.) and
Place of entry on duty: (City and Sta	ite)			
Date of entry on duty: (Month, Day,	Year)	Date of discharge: (Month, I	Day, Year)	
Type of discharge: (Honorable, Disho	onorable, etc.)			
I served in active duty status from	1: (Month, Day, Year)	to (Month, Day, Yea	ar)	
51) Have you ever left the United or naval forces of the United		trict where you registered for the draft	ft to avoid being dr	afted into the military Yes No
52) Have you ever deserted from	the military or naval forces of the	United States while the United States	was at war?	Yes No
	•	applicable previous Selective Service (Duboard number, and your last draft cla		Yes No
54) Were you ever exempted from	m service because of conscientious	objection, alienage, or any other reas	son?	☐ Yes ☐ No
or similar group in the United	States or any other place since you	every political organization, association r 16 th birthday. Include any foreign not the organization, and the dates of n	nilitary service in th	, party, club, society, iis part. If none, write
Name of Organization	Location of Organization	Nature of Organization	Member From: (Month, Day, Year)	Member To: (Month, Day, Year)
	I	I	<u>I</u>	

		PART 7 - MISCELLANEOUS INFORMATION (Continued)		
56) Have you 6	ever:			
☐ Yes	☐ No	been ordered deported, excluded, or removed?		
☐ Yes	☐ No	overstayed a grant of voluntary departure from an Immigration Judge or the Department of Homeland Security (DHS), formerly the Immigration and Naturalization Service (INS)?		
☐ Yes	☐ No	failed to appear for deportation or removal?		
57) Have you	ever been:			
☐ Yes	☐ No	a habitual drunkard?		
Yes	☐ No	one whose income is derived principally from illegal gambling?		
☐ Yes	☐ No	one who has given false testimony for the purpose of obtaining immigration benefits?		
☐ Yes	☐ No	one who has engaged in prostitution or unlawful commercialized vice?		
☐ Yes	☐ No	involved in a serious criminal offense and asserted immunity from prosecution?		
☐ Yes	☐ No	a polygamist?		
☐ Yes	☐ No	one who brought in or attempted to bring in another to the United States illegally?		
☐ Yes	☐ No	a trafficker of a controlled substance, or a knowing assister, abettor, conspirator, or colluder with others in any such controlled		
		substance offense (not including a single offense of simple possession of 30 grams or less of marijuana)?		
☐ Yes	☐ No	inadmissible or deportable on security-related grounds under sections 212(a)(3) or 237(a)(4) of the INA?		
☐ Yes	☐ No	one who has ordered, incited, assisted, or otherwise participated in the persecution of an individual on account of his		
☐ Yes	□ No	or her race, religion, nationality, membership in a particular social group, or political opinion?		
Tes res	→ No	a person previously granted relief under sections 212(c) or 244(a) of the INA or whose removal has previously been cancelled under section 240A of the INA?		
59) The follow	ing certifica	School, Type of School, Degree Earned / Date (if any), Location (City/Country), Attended From (MM/YY) To (MM/YY) ates or other supporting documents are atta—d hereto as a part of this application: (Refer to the Instructions for)		
documents whi	ch <mark>should b</mark>	re attached.)		

PART 8 - SIGNATURE OF PERSON PREPARING FORM, IF OTHER THAN APPLICANT (Read the following information and sign below) I declare that I have prepared this application at the request of the person named in Part 1, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in a language the applicant speaks fluently for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form EOIR-42A may subject me to civil penalties under 8 U.S.C. § 1324c. Signature of Preparer: Print Name: Date: Daytime Telephone #: Address of Preparer: (Number and Street, City, State, Zip Code) **PART 9 - SIGNATURE** APPLICATION NOT TO BE SIGNED BELOW UNTIL APPLICANT APPEARS BEFORE **AN IMMIGRATION JUDGE** I swear or affirm that I know the contents of this application that I am signing, including the attached documents and supplements, and that they are all true to the best of my knowledge, taking into account the correction(s) numbered _______ to ______, if any, that were made by me or at my request. (Signature of Applicant or Parent or Guardian) Subscribed and sworn to before me by the above-named applicant at ______ Immigration Judge Date: (Month, Day, Year) PART 10 - PROOF OF SERVICE - delivered in person - mailed first class, postage prepaid I hereby certify that a copy of the foregoing Form EOIR-42A was: _ to the Assistant Chief Counsel for the DHS (U.S. Immigration and Customs Enforcement-ICE) (Month, Day, Year) (Number and Street, City, State, Zip Code) Signature of Applicant (or Attorney or Representative)