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Cancellation of Removal

Cancellation of Removal Benefits

Cancellation of Removal is a defense for people in the deportation or removal process. If a person successfully presents the defense of Cancellation of Removal, they would obtain Legal Permanent Resident (LPR) status.

Cancellation of Removal Requirements

In Immigration Court, you must show the presiding judge the following:

1. Ten years presence in U.S.
2. Good moral character for that time
3. No disqualifying convictions
4. U.S. citizen or LPR parent, spouse or child
5. Extreme and unique hardship to the qualifying relatives
6. Favorable exercise of discretion

OR

1. Subject to battery or extreme cruelty by US citizen or LPR spouse or parent
2. 3 years continual presence
3. Good moral character for that time
4. No disqualifying convictions
5. Extreme hardship to you or your child (if child of the US citizen or LPR)
6. Favorable exercise of discretion

Note: There are differing requirements for LPRs who are facing deportation. Please contact our office for a consult regarding those differences if you are an LPR.

If you have any questions or would like to make an appointment regarding Cancellation of Removal please contact my office.