

Checklist – Applying for Ten Year Cancellation of Removal

Congratulations on deciding you want to apply for Ten-Year Cancellation of Removal. The following checklist is designed to help you keep track of all the steps you need to take to apply and prepare your case. Make sure that you keep copies of all the documents you submit to the court or immigration.

- Request application for ten year cancellation of removal and adjustment of status for certain nonpermanent residents from the Immigration Judge. This application is also known as the Form EOIR-42B.
- Read the instructions for how to complete the application carefully and complete the application answering *all* the questions. If any of the questions do not apply, mark “N/A” for non applicable. If you do not know the answer to a question, mark “unknown.”
- Make 4 copies of your application: You will give 1 copy to the Judge when you appear in court, you will give 1 copy to the government attorney, you will send 1 copy to U.S. Citizenship and Immigration Services (USCIS), and 1 copy is for your records. Note: you do not need to submit all your supporting documentation at this time.
- If you are unable to pay the application fee of \$100, you may ask the Immigration Judge to waive the application fee. You should submit the Judge’s order showing you cannot afford to pay the fee at the same time that you give the Immigration Judge your 42-B application.
- Mail all the documents listed below to the USCIS Texas Service Center at: PO Box. 852463, Mesquite, Texas 75185-2463.
 - 1) A copy of the 42B application form that you filed with the immigration court
 - 2) Application fee of \$100 in a check or money order OR the Immigration Judge’s order granting a fee waiver.
 - 3) A check or money order for \$85 (mandatory biometrics or fingerprinting fee made out to “Department of Homeland Security”).
 - 4) A copy of the Pre-Order instructions (see attached)
- After these items are received at the USCIS Service Center, you will receive:
 - 1) A USCIS Fee Receipt Notice showing that you have paid the fees
 - 2) A USCIS notice for your biometrics (photo and fingerprinting) appointment
- Make a copy of the biometrics appointment notice and attach it to a kite addressed to your deportation officer informing him of your appointment.
- When you attend the biometrics appointment, make sure to keep the original copy that they stamp in a safe place.
- Gather all the supporting documentation for your case. For example:

- Rent receipts, check stubs, school records, bills, and income tax records to show you have lived in the U.S. for at least ten years
 - Letters of support from friends, family, teachers, religious leaders and others to show you are a person of good moral character
 - Evidence that your husband or wife, or child(ren), or parents are either U.S. citizens or lawful permanent residents, and that they would suffer extreme and exceptionally unusual hardship if you were deported. For example: medical records, school records, letters of support
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- Organize your documents using an index and list by page number
 - Write the page number on the bottom of all your documents and place the index on top of all your supporting documentation.
 - Think about who is going to come to court and testify on your behalf. Write their names and your relationship to you on the witness list. If anyone is not able to come in person but could testify by phone, indicate the phone #
 - Gather the index, the supporting documentation and your witness list and make 3 copies of each of these “packets.”
 - At least 10 days before your individual hearing with the immigration judge, mail 1 of the “packets” of your supporting documentation to the judge at:
 - Executive Office of Immigration Review
 - 3130 North Oakland Street
 - Aurora, CO 80010
 - This same day mail another one of the packets to the government attorneys:
 - Office of the Chief Counsel
 - Immigration & Customs Enforcement
 - US Department of Homeland Security
 - 12445 E. Caley Ave.
 - Centennial, CO 80111
 - Prepare and practice your testimony. Be prepared to answer questions about your criminal history, your family’s situation, and why you deserve to be able to stay in the United States.