

KONSÈY POU APLIKAN

TANPRI LI AK ATANSYON. FRÈ PAP RETOUREN.

- I. **Moun ki Pa Sitwayen Elijib pou Anilasyon Deplasman:** Ou ka elijib pou ranvwa ou anile dapre seksyon 240A(b) Lwa sou Imigrasyon ak Nasyonalite (INA). Pou kalifye pou benefis sa a, ou dwe etabli nan yon odyans devan yon Jij Imigrasyon sa:
- A. 1. Anvan sèvis Avi pou Parèt la, ou te kenbe prezans fizik kontinyèl Ozetazini pou dis (10) ane oswa plis, epi ou te yon moun ki gen bon karaktè moral jan sa defini nan seksyon 101(f) INA. pandan peryòd sa a;
2. Yo pa te kondane w pou yon ofans ki kouvri anba seksyon 212(a)(2), 237(a)(2), oswa 237(a)(3) INA; epi
3. Deplasman ou a ta lakòz difikilte eksepsyonèl ak ekstrèmman etranj pou sitwayen Etazini oswa rezidan pèmanan legal ou, mari oswa madanm, paran, oswa pitit ou, epi ou merite yon egzèsè diskresyon favorab sou aplikasyon w lan.

OSWA

- B. 1. Sitwayen Etazini oswa konjwen oswa paran ki rezidan legal ou a bat oswa sibi yon mekanste ekstrèm nan peyi Etazini, oswa ou se paran yon timoun yon sitwayen ameriken oswa rezidan pèmanan legal epi timoun nan te bat oswa sitwayen ameriken oswa paran rezidan pèmanan sibi gwo mekanste Ozetazini;
2. Anvan yo te bay Avi pou parèt, ou te kenbe prezans fizik kontinyèl Ozetazini pou twa (3) ane oswa plis epi ou te yon moun ki gen bon karaktè moral jan sa defini nan seksyon 101(f) nan INA. pandan peryòd sa a;
3. Ou pa inadmisib dapre seksyon 212(a)(2) oswa 212(a)(3) INA, ou pa kapab depòtasyon dapre seksyon 237(a)(1)(G) oswa seksyon 237(a)(2)-(4) INA a, epi ou pa te kondane pou yon krim ki aggrave jan sa defini nan **seksyon 101(a)(43) INA**;
4. a. Retire w ta pral lakòz gwo difikilte pou oumenm oswa pou pitit ou a ki se pitit yon sitwayen ameriken oswa rezidan pèmanan legal; oswa
- b. Ou se yon timoun ke yo retire li ta lakòz gwo difikilte pou oumenm oswa paran ou; epi
5. Ou merite yon egzèsis diskresyon favorab sou aplikasyon w lan.

Remak: Si ou te sèvi nan sèvis aktif nan Fòs Ame Ozetazini pou omwen 24 mwa, ou pa oblije ranpli kondisyon pou prezans fizik kontinyèl Ozetazini. Sepandan, ou dwe te Ozetazini lè ou te antre nan Fòs Ame yo. Si ou pa nan Fòs Ame ankò, ou dwe te separe nan kondisyon onorab.

- II. **Moun ki pa sitwayen yo PA Elijib pou Anilasyon Anilasyon:** Ou pa elijib pou anile ranvwa dapre seksyon 240A(b)(1) INA si ou:

- A. Te antre Ozetazini kòm yon ekipaj apre 30 jen 1964;

- B. Yo te admèt Ozetazini kòm, oswa pita te vin, yon non-imigran echanj **moun ki pa sitwayen** jan sa defini nan seksyon 101(a)(15)(J) nan INA pou yo ka resevwa edikasyon oswa fòmasyon medikal gradye, kèlkeswa si ou se sijè a oswa te ranpli egzijans rezidans etranje 2 zan nan seksyon 212(e) nan INA a.;
- C. Yo te admèt Ozetazini kòm, oswa pita te vin, yon non-imigran echanj **moun ki pa sitwayen**, jan sa defini nan seksyon 101(a)(15)(J) nan INA, lòt pase pou resevwa edikasyon oswa fòmasyon medikal gradye, epi yo sijè a egzijans rezidans etranje 2 zan nan seksyon 212(e) INA a, men yo pa ranpli ni jwenn yon egzansyon pou egzijans sa a.;
- D. **Ou se** swa inadmisib dapre seksyon 212(a)(3) INA oswa depòtasyon dapre seksyon 237(a)(4) INA;
- E. **Ou** te bay lòd, ankouraje, ede, oswa patisipe nan pèsikasyon yon moun poutèt ras, relijyon, nasyonalite, manm nan yon gwoup sosyal patikilye, oswa opinyon politik; oswa
- F. **Yo te** deja akòde w sekou anba seksyon 212(c) INA, oswa seksyon 244(a) INA paske seksyon sa yo te anvigè anvan yo te adopte Lwa 1996 sou Refòm Imigrasyon Imigrasyon ak Responsablite Imigran ki te retire yo. te deja anile dapre seksyon 240A INA.

III. Kijan pou aplike pou anilasyon anilasyon an:

Si w kwè ou ranpli tout egzijans pou anilasyon anilasyon an, ou dwe reponn tout kesyon ki sou Fòmilè EOIR-42B ki tache a nèt e avèk presizyon. Ou dwe peye frè pou ranpli ak byometrik epi respekte enstriksyon Depatman Sekirite Enteryè (DHS) pou bay enfòmasyon byometrik ak byografik nan **Sèvis Sitwayènte ak Imigrasyon Etazini** (USCIS), [disponib nan <http://uscis.gov>]. Ou dwe sèvi tou yon kopi aplikasyon w lan nan Asistan Avoka anchèf pou DHS la, U.S. Immigration and Customs Enforcement (ICE) jan sa mande nan prèv sèvis la nan paj 8 aplikasyon sa a, si sa aplikab, epi ou dwe ranpli aplikasyon w lan nan Tribinal Imigrasyon ki apwopriye a. Tanpri li enstriksyon sa yo ak anpil atansyon anvan ou ranpli aplikasyon w lan.

ENSTRIKSYON

1. PREPARASYON APLIKASYON.

Pou aplike pou anilasyon anilasyon dapre seksyon 240A(b) Lwa sou Imigrasyon ak Nasyonalite (INA), ou dwe reponn tout kesyon ki nan Fòm EOIR-42B ki atache a nèt e avèk prezizyon. Ou dwe respekte tou tout enstriksyon ki nan fòm sa a. Enstriksyon sa yo gen fòs lalwa. Yon aplikasyon separe dwe prepare epi egzekite pou chak moun k ap aplike pou anilasyon anilasyon an. Yon paran oswa gadyen dwe egzekite yon aplikasyon pou **yon moun ki pa sitwayen** ki mantalman enkonpetan oswa ki se yon timoun ki poko gen 14 an..

Ou dwe tape oswa enprime repons ou yo byen lizib ak lank. Pa kite okenn kesyon san repons oswa vid. Si nenpòt kesyon pa aplike pou ou, ekri "okenn" oswa "pa aplikab" nan espas ki apwopriye a.

Nan mezi posib, reponn tout kesyon dirèkteman sou fòm lan. Si pa gen ase plas pou reponn konplètman a yon kesyon, tanpri kontinye repons ou sou yon lòt fèy papyè. Tanpri endike nimewo kesyon w ap reponn a bò kote repons ou an sou fèy adisyonèl la, ekri nimewo enskripsyon etranje ou ("**A**"), enprime non w, epi siyen, dat, epi kole chak fèy adisyonèl an sekirite nan Fòm EOIR-42B.

2. CHAY PRÈV.

Fado prèv la se sou ou pou pwouve ke ou ranpli tout egzijans legal yo pou anile ranvwa pou sèten rezidan ki pa pèmanan dapre seksyon 240A(b) INA a e ke ou gen dwa a yon soulajman sa a kòm yon kesyon diskresyon. Pou satisfè chay sa a, repons ou yo a kesyon ki sou aplikasyon an ta dwe detaye ak konplè ke posib. Ou ta dwe tache tou ak aplikasyon w lan nenpòt dokiman ki montre kalifikasyon w pou anilasyon anilasyon an (gade "DOKIMAN SIPÒ" anba a).

3. DOKIMAN SIPÒ.

Ou ta dwe soumèt prèv dokiman ki montre ke ou te kenbe prezans fizik kontinyèl Ozetazini pou peryòd ki nesèsè a. Dokiman ki ka montre prèv prezans fizik ou Ozetazini gen ladan, men se pa sa sèlman, liv bank, lwaye, papyè kay, lisans, resi, lèt, dosye nesans, dosye legliz, dosye lekòl, dosye travay, **dosye medikal**, ak prèv. nan peman taks yo.

Ou ta dwe soumèt dokiman ki ede montre ke ou se, epi ou te, yon moun ki gen bon karaktè moral pandan tout peryòd prezans fizik kontinyèl Ozetazini ki nesèsè pou kalifikasyon pou anilasyon anilasyon an. Ou ta dwe soumèt dosye **kondanasyon, si genyen**, nan chak jiridiksyon kote ou te abite pandan peryòd sa a. Pou montre bon karaktè moral, li rekòmande pou w soumèt afidavit temwen yo ki ateste bon karaktè moral ou, de preferans sitwayen Ozetazini, epi si w ap travay, patwon w. Afidavi anplwayè w la ta dwe genyen enfòmasyon konsènan nati ak dire travay ou ak salè w.

Ou ta dwe soumèt sètifikasyon ofisyèl pou etabli relasyon ou ak moun ou reklame ki t ap soufri lè yo retire w la, epi si moun sa yo se sitwayen Etazini oswa rezidan pèmanan legal, prèv sitwayènte yo oswa estati rezidan pèmanan legal yo. Prèv dokiman relasyon sa yo ka gen ladan, men yo pa limite a, dosye nesans, sètifika maryaj, prèv divòs oswa revokasyon maryaj, ak sètifika lanmò.

Ou ta dwe tou soumèt ak aplikasyon w lan kopi nenpòt dokiman Depatman Sekirite Enteryè (DHS), ansyen Sèvis Imigrasyon ak Natiralizasyon ("**INS**"), te ba ou. Ou ta dwe tou soumèt tout dokiman ki reflekte peman taks, istwa kriminel ou, ki gen ladan tout dosye kondanasyon, ak peman sipò timoun pandan prezans fizik ou Ozetazini. Jij Imigrasyon an ka mande w pou w soumèt lòt dosye ki gen rapò ak demann ou an pou anilasyon anilasyon an.

Orijinal tout dokiman sipò yo dwe disponib pou enspeksyon nan odyans lan. Si ou vle gen orijinal la

4. ENFÒMASYON BYOMETRIK AK BYOGRAFIK OBLIJE.

Chak aplikan ki gen 14 an oswa plis dwe konfòme tou ak egzijans pou bay enfòmasyon byometrik ak byografik. Y ap ba w enstriksyon sou fason pou w ranpli egzijans sa a. Y ap fè w konnen alekri kote Sant Sipò pou Aplikasyon **DHS USCIS** (ASC) oswa Ajans Lapolis deziyen an kote ou dwe ale pou bay enfòmasyon byometrik ak byografik. Y ap ba w yon dat ak yon lè pou randevou a tou. Li enpòtan pou founi tout enfòmasyon ki nesèsè yo. Si w pa respekte egzijans sa a, sa ka lakòz yon reta nan aplikasyon w lan oswa pou Tribinal Imigrasyon an jije aplikasyon w lan abandone epi anile..

5. TRADIKSYON YO.

Nenpòt dokiman nan yon lang etranje dwe akonpaye pa yon tradiksyon nan lang angle ak yon sètifika siyen pa tradiktè a ki deklare ke li/li konpetan pou tradui dokiman an e ke tradiksyon an se verite ak egzat nan pi bon nan kapasite tradiktè a. Sètifikasyon sa a dwe enprime lizib oswa tape.

6. FOTOGRAFI YO.

Sòf si yo nan prizon oswa detansyon w nan yon etablisman ki anpeche w konfòme w ak enstriksyon sa a, ou dwe soumèt de foto briyan, san retouche, ak koulè w pran nan 30 jou apre dat aplikasyon sa a. Foto sa yo dwe gen yon background blan epi yo pa dwe monte. Dimansyon imaj fasyal ou nan foto a ta dwe apeprè yon (1) pous soti nan manton an rive nan tèt cheve ou epi yo ta dwe montre w nan yon gade devan/style paspò ak je ou louvri. Sèvi ak yon kreyon oswa yon plim, ou ta dwe enprime non w ak nimewo anrejistremen etranje ("A") sou do chak foto.

7. FRÈ.

Anvan ou depoze Fòm EOIR-42B ou a nan Tribinal Imigrasyon an, ou dwe peye \$100 frè pou ranpli yo ak frè byometrik yo bay DHS la. Prèv peman frè sa yo nan fòm yon kopi avi **DHS USCIS ASC** sou resi frè ak enstriksyon pou randevou byometrik yo dwe akonpaye Fòm EOIR-42B ou a. Yo p ap ranbouse frè sa yo, kèlkeswa aksyon w te pran sou aplikasyon w lan. Se poutèt sa, li enpòtan pou w li konsèy, enstriksyon yo ak aplikasyon an ak anpil atansyon anvan ou reponn. Si w pa kapab peye frè pou ranpli a, ou ka mande Jij Imigrasyon an pou l pèmèt ou depoze Fòm EOIR-42B ou **san w pa oblije peye frè a lè w mete yon fòm EOIR-26A pou dispans frè ak aplikasyon w lan.**

PA VOYE LAJAN KACH. Tout frè yo dwe soumèt nan kantite lajan egzak la. Yo ka fè remèt pa chèk pèsònèl, chèk kesye, chèk labank sètifye, kad lajan entènasyonal labank, oswa bouyon etranje ki trase sou yon enstitisyon finansye Ozetazini epi yo ka peye nan "Depatman Sekirite Enteryè" nan lajan Etazini. aplikan an abite nan Zile Vyèj yo, chèk la oswa money order dwe peye bay "Komisyonè Finans nan Zile Vyèj yo." Si aplikan an abite nan Guam, chèk la oswa money order dwe peye bay "Trezorer, Guam." Yo aksepte chèk pèsònèl si yo ka kolekte. Yon chèk ki pa ka kolekte ap rann aplikasyon an ak nenpòt dokiman yo bay dapre sa a valab. Y ap enpoze yon frè \$30.00 si yon chèk nan peman yon frè pa onore pa bank kote li a. Lè yo tire chèk la sou kont yon moun ki pa aplikan an, non ak nimewo enskripsyon etranje ("**A**") aplikan an dwe antre sou fas chèk la. Tout chèk yo dwe trase sou yon bank ki sitiye nan Etazini.

8. SERVE ak DEPOZE APLIKASYON OU.

- A. Ou dwe dabò respekte enstriksyon DHS pou bay USCIS enfòmasyon byometrik ak byografik, sa ki enplike voye yon kopi aplikasyon an bay Sant Sèvis USCIS ki apwopriye a. Enstriksyon DHS yo adrese tou peman frè aplikasyon yo.
- B. Lè sa a, ou dwe bay dokiman sa yo nan Asistan Avoka anchèf pou DHS, US Immigration and Customs Enforcement (ICE):

- yon kopi Fòm EOIR-42B ou, Aplikasyon pou Anilasyon Anilasyon, ak tout dokiman sipò ak fèy adisyonèl;
- yon kopi avi USCIS ASC sou resi frè ak enstriksyon pou randevou byometrik;
- Fòm orijinal enfòmasyon biyografik G-325A; epi
- yon foto ou ki satisfè egzijans enstriksyon #6 pi wo a.

Nòt: Moun k ap depoze elektwonik yo pa oblije sèvi pati opoze a si pati opoze a ap patisipe nan ECAS. Sistèm ECAS EOIR a pral bay pati k ap patisipe yo yon notifikasyon sèvis elektwonik.

Ou dwe ranpli dokiman sa yo nan Tribinal Imigrasyon ki apwopriye a:

- Fòm orijinal EOIR-42B ak tout dokiman sipò ak fèy adisyonèl;
- yon kopi avi USCIS ASC sou resi frè ak enstriksyon pou randevou byometrik;
- yon kopi Fòm Enfòmasyon Biyografik G-325A;
- yon foto ou ki satisfè egzijans enstriksyon #6 pi wo a; epi
- yon sètifika ranpli ki montre sèvis dokiman sa yo (Gade Pati 10 Aplikasyon an nan paj 8) sou Avoka Chèf Asistan ICE a oswa afimasyon ke dokiman yo te depoze elektwonikman atravè ECAS, sof si sèvis yo fè nan dosye a nan odyans lan.

Kenbe dokiman konfimasyon USCIS ASC byometrik ou a oswa yon kopi kat anprent ou, FD-258, si sa aplikab, kòm prè ke yo te pran byometrik ou a, epi pote li nan odyans Tribinal Imigrasyon ou yo.

9. SANKSYON YO.

Ou dwe reponn tout kesyon ki sou Fòm EOIR-42B ak verite epi soumèt sèlman dokiman otantik pou sipòte aplikasyon w lan. **Ou pral oblije fè sèman oswa afime ke sa ki nan aplikasyon w lan ak dokiman sipò yo se verite selon sa w konnen.** Repons ou a pou kesyon ki nan fòm sa a ak dokiman sipò ou prezante yo pral sèvi pou detèmine si yo ta dwe anile ranvwa ou epi si yo ta dwe pèmèt ou ajiste sityasyon ou. Nenpòt repons ou bay ak nenpòt dokiman sipò ou prezante yo ka itilize tou kòm prè nan nenpòt pwosedi pou detèmine dwa w pou yo admèt oswa readmèt, re-antre, pase, oswa abite Ozetazini. Yo ka refize aplikasyon w lan si yo jwenn nenpòt nan repons ou oswa dokiman sipò w yo fo. Prezante fo repons oswa fo dokiman yo kapab tou sibi pouswit kriminel anba 18 U.S.C. seksyon 1546 epi/oswa sibi penalite sivil anba 8 U.S.C. seksyon 1324c si ou soumèt aplikasyon w lan konnen ke aplikasyon an, oswa nenpòt dokiman sipò, gen nenpòt fo deklarasyon konsènan yon reyalite materyèl, oswa si w sèman oswa afime ke sa ki nan aplikasyon w lan ak dokiman sipò yo se verite, konnen ke aplikasyon an oswa nenpòt dokiman sipò genyen nenpòt fo deklarasyon konsènan yon reyalite materyèl. Si yo kondane ou, ou ka peye yon amann jiska \$250,000, nan prizon pou jiska dis (10) ane, oswa toude. 18 U.S.C. seksyon 1546(a), 3559(a)(4), 3571(b)(3). Si yo detèmine ou te vyole entèdiksyon kont fwod dokiman an epi yo te pase yon lòd final kont ou, ou ta ka sijè a yon penalite sivil jiska \$2,000 pou chak dokiman yo itilize oswa kreye pou premye ofans lan, ak jiska \$5,000 pou nenpòt dezyèm, oswa ofans ki vin apre. Anplis de sa, si w se sijè a yon lòd final pou vyole 8 U.S.C. seksyon 1324c, ki gen rapò ak penalite sivil pou fwod dokiman, ou pral retire nan peyi Etazini.

10. AVI LWA SOU REDIKSYON DOKIMAN YO.

Dapre Lwa Rediksyon Papyè, yon moun pa oblije reponn a yon koleksyon enfòmasyon sof si li montre yon nimewo kontwòl OMB ki valab kounye a. Nou eseye kreye fòm ak enstriksyon ki egzat, ki ka fasil pou konprann, epi ki enpoze pi piti fado posib sou ou pou ba nou enfòmasyon. Souvan, pwosesis sa a difisil paske kèk lwa imigrasyon yo trè konplèks. Fado pou rapòte enfòmasyon sa a yo kalkile jan sa a: (1) aprann sou fòm nan, 50 minit, (2) ranpli fòm nan, 2 èdtan, epi (3) rasanble ak ranpli fòm nan, 3 èdtan, pou yon mwayèn. nan 5 èdtan, 50 minit pou chak aplikasyon. Si w gen kòmantè konsènan presizyon estimasyon fado sa a, oswa nenpòt lòt aspè nan koleksyon enfòmasyon sa a, ki gen ladan sijesyon pou diminye fado sa a, ou ka ekri Depatman Jistis Etazini, Biwo Egzekitif pou Revizyon Imigrasyon, Biwo a. Jeneral Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041

**Application for Cancellation of Removal and Adjustment
of Status for Certain Nonpermanent Residents**

**PLEASE READ ADVICE AND INSTRUCTIONS
BEFORE FILLING IN FORM**

PLEASE TYPE OR PRINT

Fee Stamp (Official Use Only)

PART 1 - INFORMATION ABOUT YOURSELF

1) My present true name is: <i>(Last, First, Middle)</i>		2) Alien Registration ("A") Number(s):	
3) My name given at birth was: <i>(Last, First, Middle)</i>		4) Birth Place: <i>(City and Country)</i>	
5) Date of Birth: <i>(Month, Day, Year)</i>	6) Gender:	7) Height:	8) Hair Color: 9) Eye Color:
10) Current Nationality and Citizenship: 11) National ID/Passport Number: 12) Home Phone Number: 13) Work Phone Number:			
14) I currently reside at:		15) I have been known by these additional name(s):	

16) I have resided in the following locations in the United States: (List PRESENT ADDRESS FIRST, and work back in time for at least 10 years.)

Street and Number - Apt. or Room # - City or Town - State - Zip Code	Resided From: <i>(Month, Day, Year)</i>	Resided To: <i>(Month, Day, Year)</i>
		PRESENT

PART 2 - INFORMATION ABOUT THIS APPLICATION

17) I, the undersigned, hereby request that my removal be cancelled under the provisions of section 240A(b) of the Immigration and Nationality Act (INA). I believe that I am eligible for cancellation of removal because: (Check all that apply.)

☐ My removal would result in exceptional and extremely unusual hardship to my:

	UNITED STATES CITIZEN	LAWFUL PERMANENT RESIDENT
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___ spouse, who is a	___	___
___ father, who is a	___	___
___ mother, who is a	___	___
___ child/children, who is/are a	___	___

___ I, or my child, have been battered or subject to extreme cruelty by a United States citizen or lawful permanent resident spouse or parent.

With the exception of absences described in question #23, I have resided in the United States since: _____
(Month, Day, Year)

PART 3 - INFORMATION ABOUT YOUR PRESENCE IN THE UNITED STATES

18) I first arrived in the United States under the name of: *(Last, First, Middle)*

19) I first arrived in the United States on: *(Month, Day, Year)*

20) Place or port of first arrival: *(Place or Port, City, and State)*

21) I: ☐ was inspected and admitted.

☐ I entered using my Lawful Permanent Resident card which is valid until _____.
Category on Lawful Permanent Resident card _____ *(Month, Day, Year)*

☐ I entered using a _____ visa which is valid until _____ *(Month, Day, Year)*

☐ was not inspected and admitted. *(Specify Type of Visa)* *(Month, Day, Year)*

☐ I entered without documents. Explain: _____

☐ I entered without inspection. Explain: _____

☐ Other. Explain: _____

22) I applied on _____ for additional time to stay and it was ☐ granted on _____ *(Month, Day, Year)*
and valid until _____, or ☐ denied on _____ *(Month, Day, Year)*

23) Since the date of my first entry, I departed from and returned to the United States at the following places and on the following dates:
(Please list all departures regardless of how briefly you were absent from the United States.)

If you have never departed from the United States since your original date of entry, please mark an X in this box: ☐

	<i>Place or area or port or city and state of departure</i>	<i>Departure Date (Month, Day, Year)</i>	<i>Purpose of Travel</i>	<i>Destination</i>
1	<i>Place or area or port or city and state of return</i>	<i>Return Date (Month, Day, Year)</i>	<i>Manner of Return</i>	<i>Inspected and Admitted?</i> ☐ Yes ☐ No
2	<i>Place or area or port or city and state of departure</i>	<i>Departure Date (Month, Day, Year)</i>	<i>Purpose of Travel</i>	<i>Destination</i>
	<i>Place or area or port or city and state of return</i>	<i>Return Date (Month, Day, Year)</i>	<i>Manner of Return</i>	<i>Inspected and Admitted?</i> ☐ Yes ☐ No

24) Have you ever departed the United States: a) under an order of deportation, exclusion, or removal?..... ☐ Yes ☐ No

b) pursuant to a grant of voluntary departure?..... ☐ Yes ☐ No

PART 4 - INFORMATION ABOUT YOUR MARITAL STATUS AND SPOUSE *(Continued on page 3)*

25) I am **divorced**:
I am married: **yes** **no**

26) If married, the name of my spouse is: *(Last, First, Middle)*

27) My spouse's name before marriage was:

28) The marriage took place in: *(City and Country)*

29) Date of marriage: *(Month, Day, Year)*

30) My spouse currently resides at:

Apt. number and/or in care of

Number and Street

City or Town

State/Country Zip Code

31) Place and date of birth of my spouse: *(City & Country; Month, Day, Year)*

32) My spouse is a citizen of: *(Country)*

33) If your spouse is other than a native born United States citizen, answer the following:

He/she arrived in the United States at: *(Place or Port, City and State)* _____

He/she arrived in the United States on: *(Month, Day, Year)* _____

His/her alien registration number(s) is: A# _____

He/she was naturalized on: *(Month, Day, Year)* _____ at _____ *(City and State)*

34) My spouse ☐ - is ☐ - is not employed. If employed, please give salary and the name and address of the place(s) of employment.

Full Name and Address of Employer	Earnings Per Week <i>(Approximate)</i>
	\$
	\$
	\$

Please continue answers on a separate sheet as needed.

PART 4 - INFORMATION ABOUT YOUR MARITAL STATUS AND SPOUSE (Continued)

35) I ☐ - have ☐ - have not been previously married: (If previously married, list the name of each prior spouse, the dates on which each marriage began and ended, the place where the marriage terminated, and describe how each marriage ended.)

Name of prior spouse: (Last, First, Middle)	Date marriage began: Date marriage ended:	Place marriage ended: (City and Country)	Description or manner of how marriage was terminated or ended:

36) My present spouse ☐ - has ☐ - has not been previously married: (If previously married, list the names of each prior spouse, the dates on which each marriage began and ended, the place where the marriage terminated, and describe how each marriage ended.)

Name of prior spouse: (Last, First, Middle)	Date marriage began: Date marriage ended:	Place marriage ended: (City and Country)	Description or manner of how marriage was terminated or ended:

37) Have you been ordered by any court, or are otherwise under any legal obligation, to provide child support and/or spousal maintenance as a result of a separation and/or divorce? ☐ Yes ☐ No

PART 5 - INFORMATION ABOUT YOUR EMPLOYMENT AND FINANCIAL STATUS

38) Since my arrival into the United States, I have been employed by the following named persons or firms: (Please begin with present employment and work back in time. Any periods of unemployment or school attendance should be specified. Attach a separate sheet for additional entries if necessary.)

Full Name and Address of Employer	Earnings Per Week (Approximate)	Type of Work Performed	Employed From: (Month, Day, Year)	Employed To: (Month, Day, Year)
	\$			PRESENT
	\$			
	\$			

39) If self-employed, describe the nature of the business, the name of the business, its address, and net income derived therefrom:

40) My assets (and if married, my spouse's assets) in the United States and other countries, not including clothing and household necessities, are:

<u>Self</u>	<u>Jointly Owned With Spouse</u>
Cash, Stocks, and Bonds..... \$	Cash, Stocks, and Bonds. \$
Real Estate..... \$	Real Estate..... \$
Auto (dollar value minus amount owed)..... \$	Auto (dollar value minus amount owed)..... \$
Other (describe on line below)..... \$	Other (describe on line below). \$
TOTAL \$	TOTAL \$

41) I ☐ - have ☐ - have not received public or private relief or assistance (e.g., Welfare, Unemployment Benefits, Medicaid, TANF, AFDC, etc.). If you have, please give full details including the type of relief or assistance received, date for which relief or assistance was received, place, and total amount received during this time: _____

42) Please list each of the years in which you have filed an income tax return with the Internal Revenue Service: _____

PART 6 - INFORMATION ABOUT YOUR FAMILY *(Continued on page 5)*

43) I have _____ (Number of) children. Please list information 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#:			
Estimated Total of Assets: \$ _____		Estimated Average Weekly Earnings: \$ _____	
A#:			
Estimated Total of Assets: \$ _____		Estimated Average Weekly Earnings: \$ _____	
A#:			
Estimated Total of Assets: \$ _____		Estimated Average Weekly Earnings: \$ _____	

44) If your application is denied, would your spouse and all of your children accompany you to your:

Country of Birth - ☐ Yes ☐ No

Country of Nationality - ☐ Yes ☐ No

Country of Last Residence - ☐ Yes ☐ No

If you answered "No" to any of the responses, please explain: _____

45) Members of my family, including my spouse and/or child(ren) ☐ - have ☐ - have not received public or private relief or assistance (e.g., Welfare, Unemployment Benefits, Medicaid, TANF, AFDC, etc.). If any member of your immediate family has received such relief or assistance, please give full details including identity of person(s) receiving relief or assistance, dates for which relief or assistance was received, place, and total amount received during this time: _____

46) Please give the requested information about your parents, brothers, sisters, aunts, uncles, and grandparents, living or deceased. As to residence, show street address, city, and state, if in the United States; otherwise show only country:

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 Status of Listed Relative
A#:			
Complete Address of Current Residence, if Living: _____			
A#:			
Complete Address of Current Residence, if Living: _____			

PART 6 - INFORMATION ABOUT YOUR FAMILY (Continued)

IF THIS APPLICATION IS BASED ON HARDSHIP TO A PARENT OR PARENTS, QUESTIONS 47-50 MUST BE ANSWERED.

47) If your parent is not a citizen of the United States, give the date and place of arrival in the United States including full details as to the date, manner, and terms of admission into the United States: _____

48) My father ☐ - is ☐ - is not employed. If employed, please give salary and the name and address of the place(s) of employment.

Full Name and Address of Employer	Earnings Per Week (Approximate)
	\$

49) My mother ☐ - is ☐ - is not employed. If employed, please give salary and the name and address of place(s) of employment.

Full Name and Address of Employer	Earnings Per Week (Approximate)
	\$

50) My parent's assets in the United States and other countries not including clothing and household necessities are:

Assets of father consist of the following:

Cash, Stocks, and Bonds..... \$

Real Estate..... \$

Auto (dollar value minus amount owed)..... \$

Other (describe on line below)..... \$

TOTAL \$

Assets of mother consist of the following:

Cash, Stocks, and Bonds. \$

Real Estate..... \$

Auto (dollar value minus amount owed)..... \$

Other (describe on line below). \$

TOTAL \$

PART 7 - MISCELLANEOUS INFORMATION

51) I ☐ - have ☐ - have not entered the United States as a crewman after June 30, 1964.

52) I ☐ - have ☐ - have not been admitted as, or after arrival in the United States acquired the status of, an exchange **noncitizen**.

53) I ☐ - have ☐ - have not submitted address reports as required by section 265 of the Immigration and Nationality Act.

54) I ☐ - have ☐ - have never (either in the United States or in any foreign country) been arrested, summoned into court as a defendant, convicted, fined, imprisoned, placed on probation, or forfeited collateral for an act involving a felony, misdemeanor, or breach of any public law or ordinance (including, but not limited to, traffic violations or driving incidents involving alcohol). (If answer is in the affirmative, please give a brief description of each offense including the name and location of the offense, date of conviction, any penalty imposed, any sentence imposed, and the time actually served. You are required to submit documentation of any such occurrences.)

55) Have you ever served in the Armed Forces of the United States? ☐ Yes ☐ No. If "Yes" please state branch (Army, Navy, etc.) and service number: _____

Place of entry on duty: (City and State) _____

Date of entry on duty: (Month, Day, Year) _____ Date of discharge: (Month, Day, Year) _____

Type of discharge: (Honorable, Dishonorable, etc.) _____

I served in active duty status from: (Month, Day, Year) _____ to (Month, Day, Year) _____

56) Have you ever left the United States or the jurisdiction of the district where you registered for the draft to avoid being drafted into the military or naval forces of the United States?

☐ Yes ☐ No

Please continue answers on a separate sheet as needed.

PART 7 - MISCELLANEOUS INFORMATION (Continued)

57) Have you ever deserted from the military or naval forces of the United States while the United States was at war? ☐ Yes ☐ No

58) If male, did you register under the Military Selective Service Act or any applicable previous Selective Service (Draft) Laws? ☐ Yes ☐ No
If "Yes," please give date, Selective Service number, local draft board number, and your last draft classification: _____

59) Were you ever exempted from service because of conscientious objection, alienage, or any other reason? ☐ Yes ☐ No

60) Please list your present or past membership in or affiliation with every political organization, association, fund, foundation, party, club, society, or similar group in the United States or any other place since your 16th birthday. Include any foreign military service in this part. If none, write "None." Include the name of the organization, location, nature of the organization, and the dates of membership.

Name of Organization	Location of Organization	Nature of Organization	Member From: (Month, Day, Year)	Member To: (Month, Day, Year)

61) Have you 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 removal or deportation?

62) 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 or her race, religion, nationality, membership in a particular social group, or political opinion?
☐ Yes ☐ 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?

If you answered "Yes" to any of the above questions, explain: _____

PART 7 - MISCELLANEOUS INFORMATION *(Continued)*

63) Are you the beneficiary of an approved visa petition? ☐ Yes ☐ No

If yes, can you arrange a trip outside the United States to obtain an immigrant visa? ☐ Yes ☐ No If no, please explain:

64) Name of School, Type of School, Degree Earned / Date (if any), Location (City/Country), Attended From (MM/YY) To (MM/YY)

65) The following certificates or other supporting documents are attached as part of this document. : (Refer to the Instructions for documents which should be 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-42B may subject me to civil penalties under 8 U.S.C. § 1324c.

Signature of Preparer:	Print Name:	Date:
Daytime Telephone#:	Address of Preparer: <i>(Number and Street, City, State, Zip Code)</i>	

PART 9 - SIGNATURE OF APPLICANT

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.

Print Name

Signature of Applicant or Parent or Guardian

Date (Month, Day, Year)

PART 10 - PROOF OF SERVICE

I hereby certify that a copy of the foregoing Form EOIR-42A was **sent** to to the Assistant Chief Counsel for the DHS (U.S. Immigration and Customs Enforcement-ICE) on _____ at:

(Month, Day, Year)

(Email Address or Physical Address (Number and Street, City, State, Zip Code))

☐ No service needed. I electronically filed this document, and the opposing party is participating in ECAS.

Signature of Applicant (or Attorney or Representative)