

# Cancellation of Removal for Lawful Permanent Residents

**Warning:** Some of this information may be outdated due to the 2025 executive orders. Please consider consulting an immigration lawyer if you have questions about your situation. You can also [read the President's executive orders](#).

Green card holders, or lawful permanent residents, can be deported for both minor and serious criminal convictions. See our article [Deportable Crimes](#) to explore what crimes can put a green card holder in deportation. If you're put into deportation, you can sometimes fix the problem. The most common deportation defense for green card holders is asking the judge to grant a cancellation of removal. To qualify for cancellation, you have to show that you meet the following three requirements.

## Qualification Requirements

### Status

First, you must show that you have been a lawful permanent resident for at least five years. You will simply have to provide copies of your green card to submit as evidence.

### Continuous Residence

Second, you have to show the judge that you have resided in the United States continuously for at least seven years after having been admitted through any status. It is really important to know that you stop accruing time toward the seven required years as soon as you commit a crime that triggers your deportation or you get a notice to go to court.

Example: If Peter is arrested for having a small amount of cocaine two years after getting his green card, he can only show that he had two years as a lawful permanent resident. This means he is deportable and not eligible for cancellation of removal for lawful permanent residents.

Continuous residence means that you live or reside here. Most people who reside somewhere have a local bank account and pay local taxes. Also, their local house or apartment is their main home.

### *Acceptable Forms of Evidence*

Showing your green card will not be enough to prove either continuous residence or physical presence. You will need to establish that you've built your life in the United States for a certain period of time. Acceptable pieces of evidence include:

- Rent receipts
- Mortgage payments
- A printout from the Register of Deeds
- Children's birth certificates
- Marriage certificates
- Health records from a dentist or physician
- Income taxes
- Children's school records
- Pay stubs
- Utility or cell phone bills

### *Affidavits*

Affidavits, or sworn statements from friends and family, must be very detailed and give concrete examples of your life in the United States. Simply saying that someone knows that you have been here for ten years is not enough. In fact, Immigration will be suspicious that friends and family might lie in an effort to help you. A good immigration attorney can help your family and friends write strong affidavits that support your case.

### **NOT an Aggravated Felon**

Third, you have to show the judge that whatever your criminal conviction was, it was not a conviction for any aggravated felony. This is something your lawyer needs to explain to the judge, so it is very important to get your lawyer all of the court documents they need.

Note: You cannot get cancellation of removal twice. It is a one time thing. So if you got your green card through cancellation of removal for undocumented immigrants, or if you had a previous deportation proceeding as a lawful permanent resident, you cannot try this again.

## **Discretionary Relief**

Technically, you do not have a legal right to cancellation of removal because it is a form of discretionary relief. In other words, even if you meet the qualifications for cancellation, the court is not required by law to give it to you. They must feel motivated by your story and character enough to want to help you. This means you have to not only think about how you present your case in court, but also how you present yourself.

It will help to have detailed written statements, or affidavits, from family and friends who can vouch for your character. They need to give specific examples demonstrating what kind of person you are. Generic statements claiming that you are a nice person will not be good enough. Your lawyer can help you prepare for these important details of your case.

Last updated on August 13, 2025.

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