

## Attorney Famuyide Wins Green Card For Rehabilitated Drug Addict After Many Convictions

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It took about 5 years to accomplish, at some point, deportation seemed imminent. The Service filed voluminous record of many convictions all for drug possession and use, it was an emotional rollercoaster case with many sides, but at the end, Attorney Famuyide won.

The easiest way to forfeit permanent resident status in the United States is to get involved with controlled substance of any kind. The U.S. immigration law is very strict on this issue. Many immigrants without proper counsel pled guilty to drug offenses without knowing the implications. Some were told at the State courts that the offenses were mere violations or misdemeanors only for the U.S. Immigration & Customs Enforcement to drop the hammer on them. If you are a permanent resident alien with past arrest records, It is important to review your criminal conviction records with any qualified immigration attorney before traveling abroad.

Attorney Famuyide's client in this case obtained permanent resident alien card many years ago. As a result of keeping company with bad friends for many years. About 7 years to his arrival in the United States, he was introduced to drug. It was not too long after that that he got hooked. He became a full-blown drug addict who could not live a day without taking drugs. It was very bad for him.

In the course of the negative habits, he became an easy recurrent target for police. He was arrested many times and was convicted of possession of controlled substance many times. His arrest records span some years. He attended various rehabilitation programs with the help of his aged parent until he found Christ and was saved. Through the help of the church, he got himself off the street and started a new life as a devoted Christian.

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In all his ordeal with the criminal justice system, the possible impact of the numerous arrests and convictions on his immigration status did not come to play. He thought his troubles were over until one day about 5years ago, he decided to travel abroad to his native country. The trip abroad was smooth, but his return was turbulent.

At the port of entry, his permanent resident alien card was seized. He was given a paper card. He was later issued with Notice to Appear and referred to the immigration court for removal proceedings. It was shocking to him. Suddenly, his sense of security left him and he started to dream of the possibility of deportation and the sufferings awaiting him in his home country.

In this state of dilemma, he was referred to Attorney Famuyide by a Bishop in his church. Attorney Famuyide reviewed the case and channeled a winning strategy for the case. It was the beginning of 5 years journey before the court with multiple court appearances and filing of documents. It was expensive to say the least.

Fortunately, the immigrant in this case qualified for two types of relief from deportation and Attorney Famuyide chose the cancellation of removal for a legal permanent resident alien.

According to the Executive Office of Immigration Review, to be eligible to have your removal cancelled under section 240A(a) of the Immigration and Nationality Act (INA), 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. 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(a)(2) of the INA, or prior to committing a security or related offense referred to in section 237(a)(4) of the INA; -- you have at least seven (7) years continuous residence in the United States after having been lawfully admitted in any status; and C. You have not been convicted of an aggravated felony.

It must be noted that “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.”

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According to the Executive Office of Immigration Review, the following Permanent Resident Aliens are not Eligible for Cancellation of Removal, namely; “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.

Apart from meeting the statutory requirements, an applicant for cancellation of removal must satisfy the court that the positive equities of the case trump all the negative factors in the case. Cancellation will be denied if the court is not satisfied. At times, this could be uphill battle.

If you are in removal proceedings, it is important to consult with a qualified immigration attorney to handle your case. Now the immigrant in this case can now travel abroad without any fear of arrest.

This article is for your information only. It is not a representation of any future outcome. This article cannot be substituted for legal counsel from a qualified immigration attorney. If you need legal assistance, please feel free to contact Attorney Joseph Famuyide at 718-647-6767 or send email to [jfamuyide@aol.com](mailto:jfamuyide@aol.com) .

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