19-863 NIZ-CHAVEZ V. BARR

DECISION BELOW: 789 Fed.Appx. 523

LOWER COURT CASE NUMBER: 18-4264

QUESTION PRESENTED:

The Attorney General can cancel removal of certain immigrants under 8 U.S.C. § 1229b (a) and (b). To be eligible for cancellation of removal, a non-permanent resident must have ten years of continuous presence in the United States, and a permanent resident must have seven years of continuous residence. Id. § 1229b(a)(2), (b)(l)(A). Under the "stop-time rule," the government can end those periods of continuous residence by serving "a notice to appear under section 1229(a)," which, in turn, defines "a 'notice to appear"' as "written notice ... specifying" specific information related to the initiation of a removal proceeding. Id. §§ 1229b (d)(l), 1229(a)(l). In *Pereira v. Sessions*, 138 S. Ct. 2105, 2117 (2018), this Court held that only notice "in accordance with'' section 1229(a)'s definition triggers the stop-time rule.

The question presented in this case is:

Whether, to serve notice in accordance with section 1229(a) and trigger the stop-time rule, the government must serve a specific document that includes all the information identified in section 1229(a), or whether the government can serve that information over the course of as many documents and as much time as it chooses.

CERT. GRANTED 6/8/2020