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# Eligibility for I-140, Undocumented Dreamer

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Submitted by Chief Editor on May 14th 2014

### **ANSWER:**

Unfortunately, there is nothing in the current law that will help you get your green card on your own. While an *I-140* can be approved pursuant to employ-based green card process, ultimately, you will not be eligible for a green card because it looks like you have accrued *unlawful presence* of over one year after the age of 18. That requires either that you stay outside the USA for 10 years OR get a waiver through an eligible immediate family member (tough to get). Our best hope is for a change in the laws. Good luck!

### **Green Card:**

[Form I-140](#) <sup>[2]</sup>

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### **Immigration Law :**

[Dream Act](#) <sup>[3]</sup>

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### **Removal, Deportation and Exclusion:**

[Deferred Action](#) <sup>[4]</sup>

**Unless the context shows otherwise, all answers here were provided by [Rajiv](#) <sup>[5]</sup> and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) <sup>[6]</sup>**

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### **Links:**

[1] <https://immigration.com/faq/form-i-140-form-i-140/eligibility-i-140-undocumented-dreamer>

[2] <https://immigration.com/greencard/green-card/form-i-140>

[3] <https://immigration.com/law/immigration-law/dream-act>

[4] <https://immigration.com/category/removal-deportation-and-exclusion/deferred-action>

[5] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[6] <http://www.immigration.com>

[7] <https://immigration.com/JavaScript%3Aavoid%28%29%3B>