

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

LAWRENCE K. BAERMAN
Clerk

JOHN M. DOMURAD
Chief Deputy

DAN MCALLISTER
Chief Deputy



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RELIEF FROM CIVIL DISABILITY

Definition: A civil disability occurs when a person is convicted of a felony and loses certain civil rights, like the right to bear arms, and cannot obtain licenses for certain activities like driving, hunting, or carrying a firearm. A person who is prohibited from possessing a firearm, for example, must apply for relief from civil disability to have the order suspended which prohibits owning and possessing a firearm.

Procedures: A person inquiring about obtaining the relief should write to:

New York State Division of Parole
Executive Clemency Bureau
97 Central Avenue
Albany, New York 12206

*** If they were convicted in the Northern District of New York, they should call the U.S. Probation Department in Albany at (518) 257-1700.

There are two avenues a person must take when attempting to get relief if they were convicted in a U.S. District Court. They must be cleared by both the U.S. Treasury Department on the federal level and the State of New York which issues the license. However, if the conviction resulted in the denial of federal benefits for certain drug convictions under 21 U.S.C. § 862, as indicated on the Judgment and Conviction Order, application for suspension of the order denying federal benefits must be made directly to the sentencing court. For other federal convictions, application is made to the court in the district where the applicant currently resides, but not until after relief is denied by the U.S. Treasury Department.

Application to the U.S. District Court consists of written application or petition with a copy of the denial of relief by the U.S. Treasury Department or copy of the Judgment and Conviction Order indicating denial of federal benefits. This application should be accompanied by a miscellaneous filing fee in accordance with the current fee schedule.