

### **3. What if you get an order to leave French territory (obligation de quitter le territoire)?**

Your appeal (*recours*) must be filed within a time period which is indicated in the notification you have received. You may have **30 days, 15 days, or only 48 hours to file an appeal.**

#### **Contact a specialized association or lawyer immediately.**

- **Appeal within 48 hours or 15 days:** if you cannot reach your association or your lawyer, you must immediately write a letter of appeal yourself and fax it to the number indicated in the notification document, making sure that it is received well before the deadline indicated. In your appeal letter, you should request that the judge annul the Prefecture's decision, and explain your situation in France. Describe your family and other personal attachments here, your work, any health problems you have and risks which you face in your country of origin. Request legal aid (*aide juridictionnelle*) and the assistance of a lawyer. Request a translator if necessary.

Made sure to keep the fax receipt (*accusé de réception*). It is proof that your appeal was sent before the legal deadline.

### **4. What if you have to deal with the police?**

- You have the right to refuse the police entry to your home. The police can compel you to comply but only under strictly limited conditions: *flagrante delicto*, letters rogatory (*commission rogatoire*). In the case of house arrest (*assignation à résidence*), you can be compelled to comply by a judicial decision (by the *juge des libertés et de la détention*).

Following an identity check, the administrative authorities can:

1. Confirm your right to be in France and let you go;
2. Serve you with a decision ordering you to leave France and let you go;
3. Serve you with a decision to deport you from France and to place you under house arrest or in a retention center pending your removal from French territory.

**In all of these cases you should consult a lawyer or a specialized association as soon as possible.**

**ADDENDUM : What if you are placed under house arrest (assignation à résidence)?**

**What is house arrest?** A document from the *Préfecture* informs you that you must remain in a specific place, regularly checking in at a *commissariat* or *gendamerie*, pending your removal from French territory. Notification of house arrest is valid for 45 days. It can be renewed once, for an additional 45-day period.

You can be served with a decision to place you under house arrest in the following ways:

- At the *Préfecture*, following the rejection of your request for residency or asylum;
- At the *Gendarmerie* or *Commissariat* following an identity check

You have only 48 hours to file an appeal against a decision that place you under house arrest. The 48-hour period begins as soon as you receive the official notification of the decision, weekends included.

**Contact a specialized association or lawyer immediately!**

**Appeal (*recours*) against house arrest within 48 hours.** If you cannot reach your association or your lawyer, you must immediately write a preliminary letter of appeal yourself and send it by fax, making sure that it is received well before the deadline indicated. In your appeal letter, you should request that the judge annul the Prefecture's decision / Request the assistance of a lawyer and, if necessary, a translator.

The tribunal's address, telephone and fax numbers are provided in the decision. Make sure to keep the fax receipt. It is proof that your appeal was sent before the 48-hour deadline.



**You will summoned to appear before the judge within three days! The day after you fax the appeal, telephone the tribunal for the date and time of your hearing.** Your presence at the hearing is imperative. There is no risk of arrest during the hearing.

**Despite your appeal, you can still be deported from France!**

After faxing your appeal, make sure to contact a specialized association or lawyer.