

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 25-cv-03790-KAS

BISSER LISSITCHEV,

Petitioner,

v.

JUAN BALTASAR, Warden, GEO Group ICE Processing Center, in his official capacity,
ROBERT HAGAN, Director of the Denver Field Office for U.S. Immigration and
Customs Enforcement, in his official capacity,
KRISTI NOEM, Secretary, U.S. Department of Homeland Security, in her official
capacity,
PAMELA BONDI, U.S. Attorney General, in her official capacity, and
TODD LYONS, Acting Director of U.S. ICE, in his official capacity,

Respondents.

ORDER ON PETITION FOR WRIT OF HABEAS CORPUS

ENTERED BY MAGISTRATE JUDGE KATHRYN A. STARNELLA

This matter is before the Court on the Bisser Lissitchev's Petition for Writ of Habeas Corpus [#1] following an evidentiary hearing the Court held on January 6, 2026. As stated in its oral ruling from the bench, the Court finds that ICE failed to comply with Department of Homeland Security regulations, failed to justify Mr. Lissitchev's detention, and consequently, violated Mr. Lissitchev's due process rights. Accordingly,

IT IS **ORDERED** that Mr. Lissitchev's Petition [#1] is **GRANTED**.

IT IS FURTHER **ORDERED** that Respondents are to immediately release Mr. Lissitchev from custody, subject to the preexisting Order of Supervision.

IT IS FURTHER **ORDERED** that Respondents are to immediately return the Employment Authorization, valid through March 4, 2029, to Mr. Lissitchev.

IT IS FURTHER **ORDERED** that, pursuant to 28 U.S.C. § 2412(d)(1), Mr. Lissitchev shall, within 30 days of final judgment in the action, submit to the Court an application for fees and other expenses which shows that Mr. Lissitchev is the prevailing party and is eligible to receive an award under that statutory provision; and

IT IS FURTHER **ORDERED** that Respondents are to file a status report within seven days of this Order reflecting compliance with this Order.

IT IS FURTHER **ORDERED** that the Court shall retain jurisdiction of this matter to enforce compliance with this Order.

Dated: January 6, 2026

BY THE COURT:

A handwritten signature in black ink, appearing to read 'K. Starnella', with a horizontal line extending to the right.

Kathryn A. Starnella
United States Magistrate Judge