

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TARAS MAKARENKO,

Petitioner,

v.

Case No. 1:26-cv-00225-MIS-GBW

SECRETARY, U.S. Department of Homeland Security, in their official capacity; TODD M. LYONS, Acting Director of Immigration and Customs Enforcement, in his official capacity; DAVID EASTERWOOD, Field Office Director of Enforcement and Removal Operations, Minneapolis – St. Paul Field Office, Immigration and Customs Enforcement, in his official capacity; MARY DE ANDA-YBARRA, Field Office Director of Enforcement and Removal Operations, El Paso Field Office, Immigration and Customs Enforcement, in her official capacity; and FNU LNU, Warden of Cibola County Correctional Center, custodian of detainees at the Cibola County Correctional Center, in their official capacity,

Respondents.

**ORDER GRANTING PETITIONER’S MOTION FOR ATTORNEYS’ FEES PURSUANT
TO THE EQUAL ACCESS TO JUSTICE ACT**

THIS MATTER is before the Court on Petitioner Taras Makarenko’s Motion for Attorneys’ Fees Pursuant to the Equal Access to Justice Act, ECF No. 10, filed March 5, 2026. Respondents failed to file a response, and the deadline to do so has expired. D.N.M.LR-Civ. 7.4(a) (“A response must be served and filed within fourteen (14) calendar days after service of the motion.”). Pursuant to the Local Rules of this District, “[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion.” D.N.M.LR-Civ. 7.1(b). Accordingly, it is **HEREBY ORDERED** that:

1. Petitioner's Motion for Attorneys' Fees Pursuant to the Equal Access to Justice Act, ECF No. 10, is **GRANTED**; and
2. Petitioner shall have and receive from Respondents, jointly and severally, the total amount of **\$6,145.35**, for which sum let execution enter.

Margaret Strickland

MARGARET STRICKLAND
UNITED STATES DISTRICT JUDGE