UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA, v. JAMES B. COMEY, JR., *Defendant.*	Criminal No. 1:25-cr-272-MSN-WEF

ORDER

This matter comes before the Court on the Government's Motion for Implementation of Filter Protocol (ECF 38).

For the reasons stated in open court on the record, it is hereby

ORDERED that the Government's Motion for Implementation of Filter Protocol (ECF 38) is DENIED; and it is further

ORDERED that the Government shall produce to Defendant all materials seized pursuant to the four 2019 and 2020 search warrants referenced in the Government's Reply to Defendant's Response to the Government's Motion for Implementation of Filter Protocol (ECF 132), in whatever form it is currently maintained, by 5:00 p.m. on November 6, 2025; and it is further

ORDERED that the Government shall provide notice to the Court and to Defendant regarding the status of such production, including any anticipated delay, no later than 12:00 p.m. on November 6, 2025; and it is further

ORDERED that, by 5:00 p.m. on November 6, 2025, the Government shall produce to Defendant, in writing, the following information:

- Confirmation of whether the Government has divided the materials searched

pursuant to the four 2019 and 2020 warrants at issue into materials that are responsive and non-responsive to those warrants, and, if so, a detailed explanation of the methodology used to make that determination;

- A detailed explanation of whether, and for what period of time, the Government has preserved any materials identified as non-responsive to the four search warrants;
- A description identifying which materials have been identified as responsive, if any; and
- A description identifying which materials have previously been designated as privileged; and it is further

ORDERED that the Government, including any of its agents or employees, shall not review any of the materials seized pursuant to the four 2019 and 2020 search warrants at issue until further order of the Court; and it is further

ORDERED that the Government shall, no later than 5:00 p.m. on Thursday, November 6, 2025, file on the docket, under seal, all documents relating to the September 25, 2025 grand jury proceedings, including complete audio recordings and transcripts reflecting (i) all testimony presented to the grand jury and (ii) any statements made by any prosecutor, law enforcement officer, or witness to the grand jury, or in the presence of the grand jury; and it is further

ORDERED that, to the extent Defendant seeks to challenge the Government's search of, access to, or use of the materials seized pursuant to the four 2019 and 2020 search warrants at issue, he shall file any such motion and supporting memorandum on or before November 19, 2025.

ENTERED this 5th day of November, 2025.

William E. Fitzpatrick

WILLIAM E. FITZPATRICK
UNITED STATES MAGISTRATE JUDGE