

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 ALEXANDRIA DIVISION

4 UNITED STATES OF AMERICA, : Criminal Action
5 : No. 1:25-cr-00272-MSN
6 v. :
7 :
8 JAMES B. COMEY, JR., : September 25, 2025
9 : 6:47 p.m. - 6:54 p.m.
10 Defendant. :
11 :
12 :

13 TRANSCRIPT OF RETURN OF GRAND JURY INDICTMENT PROCEEDINGS
14 BEFORE THE HONORABLE LINDSEY R. VAALA,
15 UNITED STATES MAGISTRATE JUDGE

16 APPEARANCES:

17 For the United States: UNITED STATES ATTORNEY'S OFFICE
18 Lindsey Halligan
19 United States Attorney
20 2100 Jamieson Avenue
21 Alexandria, VA 22314

22 Court Reporter: Diane Salters, B.S., CSR, RPR, RCR
23 Official Court Reporter
24 United States District Court
25 401 Courthouse Square
Alexandria, VA 22314
Email: Dianasalters.edva@gmail.com
Telephone: (301) 338-8033

26 Proceedings reported by machine shorthand from an FTR Gold
27 recording. Transcript produced by computer-aided transcription.

28 ~~Diane Salters, B.S., CSR, RPR, RCR~~

Official Court Reporter

~~Proceedings~~

1 THE COURTROOM DEPUTY: *United States v. James B.*
2 *Comey, Jr.*, a true bill, signed foreperson, charging the
3 defendant with false statements within the jurisdiction of the
4 legislative branch of the United States government and
5 obstruction of a congressional proceeding.

6 Madam Foreperson, are there any other matters for the
7 Court at this time?

8 THE FOREPERSON: No, ma'am.

9 THE COURTROOM DEPUTY: Thank you.

10 THE COURT: Good evening.

11 THE FOREPERSON: Good evening.

12 THE COURT: If you could come to the podium, please,
13 just so we can record you.

14 I know you've been through this before.

15 THE FOREPERSON: Yes.

16 THE COURT: And we're recording everything because I
17 don't have a court reporter.

18 I know you've had a long day. How are you doing? I
19 don't think I've seen you since my last duty week.

20 THE FOREPERSON: We're doing good. Thank you.

21 THE COURT: Good.

22 So you've been through the returns process before.

23 THE FOREPERSON: Yes.

24 THE COURT: As always, I ask several questions to
25 ensure the integrity of the process. I'm going to ask you

~~Proceedings~~

1 those questions now, okay?

2 For each count, was a quorum of the grand jury members
3 present?

4 THE FOREPERSON: Yes, ma'am.

5 THE COURT: And for each count and for each defendant
6 for all of the indictments, did a sufficient number, meaning at
7 least 12, of grand jurors return a true bill?

8 THE FOREPERSON: One exception.

9 THE COURT: What is the exception?

10 THE FOREPERSON: James Comey, Jr., on Count One.

11 THE COURT: Okay. I'm going to ask you about that
12 again in a minute.

13 Any there other indictments that haven't been
14 presented to the Court this evening?

15 THE FOREPERSON: No, ma'am.

16 THE COURT: Okay. When you say one count -- so I'm
17 looking at two different -- I'm looking at case 25-cr-272,
18 *United States of America v. James B. Comey, Jr.* I have an
19 indictment with two counts that my courtroom deputy read that
20 looks to be signed by you, ma'am.

21 THE FOREPERSON: Yes.

22 THE COURT: And it says 14 grand jurors concurred in
23 the indictment.

24 And then I have a report of a grand jury's failure to
25 concur in an indictment, and it just reports that -- has three

~~Proceedings~~

1 counts, and it says that the grand jurors did not concur in
2 finding an indictment in this case.

3 THE FOREPERSON: So the three counts should be just
4 one count. It was the very first count that we did not agree
5 on, and the Count Two and Three were then put in a different
6 package, which we agreed on.

7 THE COURT: So you --

8 THE FOREPERSON: So they separated it.

9 THE COURT: Sorry, I didn't mean to interrupt you.
10 So you voted on the one that has the two counts?

11 THE FOREPERSON: Yes.

12 THE COURT: Okay. And you're just giving me the other
13 one for what reason?

14 THE FOREPERSON: That we could not agree on.

15 THE COURT: Okay. But just for one count?

16 THE FOREPERSON: Yes.

17 THE COURT: Okay. I may have another question for you
18 in a minute, but you can have a seat. Thank you.

19 Who's here for the government this evening?

20 MS. HALLIGAN: Lindsey Halligan.

21 THE COURT: Okay. Please come to the podium, please.

22 So this has never happened before. I've been handed
23 two documents that are in the Mr. Comey case that are
24 inconsistent with one another. There seems to be a
25 discrepancy. They're both signed by the foreperson. The one

~~Proceedings~~

1 that says it's a failure to concur in an indictment, it doesn't
2 say with respect to one count. It looks like they failed to
3 concur across all three counts, so I'm a little confused as to
4 why I was handed two things with the same case number that are
5 inconsistent.

6 MS. HALLIGAN: So I only reviewed the one with the two
7 counts that our office redrafted when we found out about the
8 two -- two counts that were true billed, and I signed that one.
9 I did not see the other one. I don't know where that came
10 from.

11 THE COURT: You didn't see it?

12 MS. HALLIGAN: I did not see that one.

13 THE COURT: So your office didn't prepare the
14 indictment that they --

15 MS. HALLIGAN: No, no, no -- I -- no, I prepared three
16 counts. I only signed the one -- the two-count. I don't know
17 which one with three counts you have in your hands.

18 THE COURT: Okay. It has your signature on it.

19 MS. HALLIGAN: Okay. Well...

20 THE COURT: So I think, to clean up the record here,
21 what needs to happen, Madam Foreperson, is -- if I understand
22 correctly, and I don't want to put words in your mouth --
23 you're saying that the one that says there's a failure to
24 concur in an indictment, you only mean with respect to
25 Count One --

~~Proceedings~~

1 THE FOREPERSON: Correct.

2 THE COURT: -- of that indictment?

3 THE FOREPERSON: Yes, ma'am.

4 THE COURT: It has three counts. Okay.

5 What I need you to do is write on this piece of paper
6 both the case number, which is 25-cr-272, but also no true bill
7 as to Count One only, and then sign and date it so that it's
8 clear, okay? So I'm going to hand it back up to the courtroom
9 security officer and have you do that. You can have a seat.

10 Okay. All right. So for the record, Madam
11 Foreperson, I now have a report that looks like you've
12 handwritten -- a report that 12 or more grand jurors did not
13 concur in finding an indictment in -- and then you've added in
14 handwriting -- Count 1 only in this case. Is that correct?

15 THE FOREPERSON: Yes, ma'am.

16 THE COURT: Okay. Thank you.

17 With respect to this case, Ms. Halligan, since you've
18 provided this to the Court, I assume you intended to make it
19 public, so these both will go on the docket in -272 now that
20 it's been presented in open court. I just want to make sure
21 that you understand that and that was your intention.

22 MS. HALLIGAN: Okay. Understood.

23 THE COURT: Does the government have any other
24 applications on any of these indictments today? I saw an
25 arrest warrant was requested in 25-cr-269 and a summons in

~~Proceedings~~

1 25-cr-272, so the Clerk's Office will issue both of those, and
2 nothing looks to be under seal, but I wanted to make sure that
3 if you had any other applications or motions, you had an
4 opportunity to tell me.

5 MS. HALLIGAN: None, none, none at this time.

6 THE COURT: Okay. All right. Thank you.

7 MS. HALLIGAN: Thank you.

8 THE COURT: Madam Foreperson, your grand jury has been
9 empaneled for a while, and I always say, as you know, how
10 grateful we are for your service. This is a very -- it's a
11 late -- I don't think we've ever met this late, but the service
12 that you-all are providing to the Court and to the country is
13 indispensable, and so on behalf of myself and the rest of the
14 judges, thank you very much for your service.

15 All right. We are adjourned. Thank you.

16 * * * * *

17 CERTIFICATE OF REPORTER

18 I, Diane Salters, hereby certify that the foregoing
19 transcript of proceedings was prepared from an FTR Gold audio
20 recording of proceedings in the above-entitled matter and was
21 produced to the best of my ability.

22
23 /s/ Diane Salters

24 _____
25 Diane Salters, CSR, RCR, RPR
Official Court Reporter