IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA, v. JAMES B. COMEY, JR., Defendant.	Criminal No. 1:25-272 Order

Defendant James B. Comey, Jr. has filed a motion to dismiss alleging the indictment resulted from a violation of the Appointments Clause and 28 U.S.C. § 546, which authorizes appointment of an interim United States Attorney. ECF No. 60. He contends the individual who signed and procured the indictment was invalidly appointed to the position of Interim United States Attorney.

The undersigned has been appointed to hear this motion and finds it necessary to determine the extent of the indictment signer's involvement in the grand jury proceedings. Accordingly, the Government is directed to submit, no later than Monday, November 3, 2025, at 5:00 pm, for in camera review, all documents relating to the indictment signer's participation in the grand jury proceedings, along with complete grand jury transcripts. In camera review is appropriate given the secrecy requirements applicable to grand jury proceedings. Fed. R. Crim. P. 6(e)(2).

The above documents shall be delivered to chambers of Judge Cameron McGowan Currie at Matthew J. Perry United States Courthouse, 901 Richland Street, Columbia, South Carolina, 29201.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
October 28, 2025