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

UNITED STATES OF AMERICA,	:	Criminal Action
	:	No. 1:25-cr-00272-MSN
v.	:	
	:	
JAMES B. COMEY, JR.,	:	September 25, 2025
	:	6:47 p.m. - 6:54 p.m.
Defendant.	:	
	:	
.....	:	

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

APPEARANCES:

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

Exhibit A

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

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

THE FOREPERSON: No, ma'am.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Good evening.

THE FOREPERSON: Good evening.

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

I know you've been through this before.

THE FOREPERSON: Yes.

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

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

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

THE COURT: Good.

So you've been through the returns process before.

THE FOREPERSON: Yes.

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

Exhibit A

those questions now, okay?

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

THE FOREPERSON: Yes, ma'am.

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

THE FOREPERSON: One exception.

THE COURT: What is the exception?

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

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

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

THE FOREPERSON: No, ma'am.

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

THE FOREPERSON: Yes.

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

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

Exhibit A

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

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

THE COURT: So you --

THE FOREPERSON: So they separated it.

THE COURT: Sorry, I didn't mean to interrupt you.

So you voted on the one that has the two counts?

THE FOREPERSON: Yes.

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

THE FOREPERSON: That we could not agree on.

THE COURT: Okay. But just for one count?

THE FOREPERSON: Yes.

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

Who's here for the government this evening?

MS. HALLIGAN: Lindsey Halligan.

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

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

Exhibit A

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

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

THE COURT: You didn't see it?

MS. HALLIGAN: I did not see that one.

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

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

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

MS. HALLIGAN: Okay. Well...

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

Exhibit A

THE FOREPERSON: Correct.

THE COURT: -- of that indictment?

THE FOREPERSON: Yes, ma'am.

THE COURT: It has three counts. Okay.

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

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

THE FOREPERSON: Yes, ma'am.

THE COURT: Okay. Thank you.

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

MS. HALLIGAN: Okay. Understood.

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

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

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

THE COURT: Okay. All right. Thank you.

MS. HALLIGAN: Thank you.

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

All right. We are adjourned. Thank you.

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CERTIFICATE OF REPORTER

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

/s/ Diane Salters

Diane Salters, CSR, RCR, RPR
Official Court Reporter

Exhibit A