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

THE UNITED STATES OF AMERICA, ***v.*** **JAMES B. COMEY, JR.,** ***Defendant.***	**CRIMINAL NO. 1:25-CR-272-MSN**

DECLARATION OF THE INTERIM UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA

At the November 13, 2025 hearing, Judge Cameron Currie expressed concern regarding an alleged gap in the grand-jury record, referring specifically to the period beginning at approximately 4:28 p.m., when the transcript reflects that I, Lindsey Halligan and the court reporter exited the grand-jury room. By identifying that specific timeframe, the court placed the timing of the proceedings in dispute.

1. Accordingly, I, Lindsey Halligan, submit this declaration to clarify the precise sequence of events on September 25, 2025, to confirm that the grand jury transcript accurately reflects the full extent of my appearance before the grand jury, and to explain that the period in question consisted solely of the grand jury's private deliberations, during which no prosecutor, court reporter, or other person may be present pursuant to Rule 6(d) of the Federal Rules of Criminal Procedure. There are no missing minutes, contrary to the suggestion raised by the court.

2. On September 25, 2025, I presented the case of the United States v. James B. Comey, Jr., to a federal grand jury in the Eastern District of Virginia, Alexandria Division. I have reviewed the full transcript of the grand jury proceedings, and the transcript accurately reflects the entirety of the government’s presentation and presence in front of the grand jury. There was no

additional presentation, interaction, or discussion with the grand jury outside of what is reflected in the transcript. Below is a brief timeline of the events that day.

3. On September 25, 2025, I appeared before the grand jury. After introducing myself and the case proposed for indictment, the case was presented through testimony. At the conclusion of the presentment, I provided a brief summation to the grand jury and then departed along with the court reporter. The process of presenting the indictment took place from approximately 02:18 PM to 04:28 PM.

4. Approximately two hours later, at 06:40 PM, I was notified by then-First Assistant United States Attorney Maggie Cleary that the grand jury had returned a true bill as to the presented Count Two and Count Three of the indictment and that the grand jury had not returned a true bill as to the presented Count One. I then proceeded to the courtroom for the return of the indictment in front of the magistrate judge.

5. During the intermediary time, between concluding my presentation and being notified of the grand jury's return, I had no interaction whatsoever with any members of the grand jury. This time represents the grand jury's private deliberation which was done in secret with no one but the members of the grand jury present, consistent with Federal Rule of Criminal Procedure 6(d)(2).

6. I was never present in front of the grand jury alone. At every moment I was in front of the grand jury, the court reporter was also present.

Respectfully submitted this 14th day of November, 2025

/s/ Lindsey Halligan
Lindsey Halligan
Interim United States Attorney