

AO 191 (Rev. 01/09) Report of a Grand Jury's Failure to Concur in an Indictment

UNITED STATES DISTRICT COURT

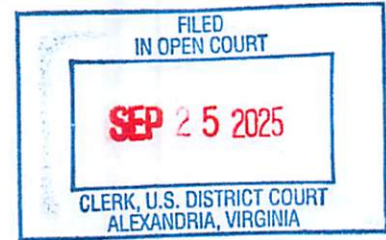
for the
Eastern District of Virginia

United States of America

v.

James B. Comey Jr.

Defendant



REPORT OF A GRAND JURY'S FAILURE TO CONCUR IN AN INDICTMENT

As the foreperson of the grand jury of this court at a session held at Alexandria, Virginia on Sept 25, 2025, I report that 12 or more grand jurors did not concur in finding an indictment in Count 1 only this case. Under Fed. R. Crim. P. 6(c), this record is being filed with the court clerk and will *not* be made public unless the court orders otherwise.

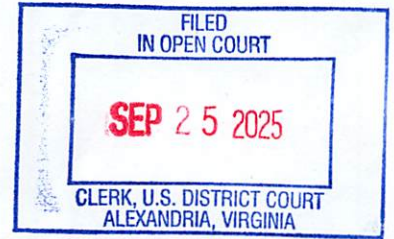
Date:

Sept 25, 2025

**Pursuant to the E-Government Act,
The original of this page has been filed
under seal in the Clerk's Office**

Foreperson's signature

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



THE UNITED STATES OF AMERICA

v.

JAMES B. COMEY JR.

Defendant.

CRIMINAL NO. 1:25-CR-272

Count One: False statements within the jurisdiction of the legislative branch of the United States Government (18 U.S.C. § 1001(a)(2))

Count Two: False statements within the jurisdiction of the legislative branch of the United States Government (18 U.S.C. § 1001(a)(2))

Count Three: Obstruction of a Congressional proceeding (18 U.S.C. § 1505)

INDICTMENT

COUNT ONE

False statements within the jurisdiction of the legislative branch of the United States Government
[18 U.S.C. § 1001(a)(2)]

1. On or about September 30, 2020, in the Eastern District of Virginia, the defendant, JAMES B. COMEY JR., did willfully and knowingly make a materially false, fictitious, and fraudulent statement in a matter within the jurisdiction of the legislative branch of the Government of the United States, by falsely stating to a U.S. Senator during a Senate Judiciary Committee hearing that he, JAMES B. COMEY JR., did not remember "being taught" of PERSON 1's "approval of a plan concerning" PERSON 2 and the 2016 U.S. Presidential election.
2. That statement and representation was false, because, as JAMES B. COMEY JR. then and there knew, he had in fact been provided information regarding PERSON 1's approval of a plan concerning PERSON 2 and the 2016 U.S. Presidential election.
3. All in violation of 18 U.S.C. § 1001(a)(2).

COUNT TWO

False statements within the jurisdiction of the legislative branch of the United States Government
[18 U.S.C. § 1001(a)(2)]

4. On or about September 30, 2020, in the Eastern District of Virginia, the defendant, JAMES B. COMEY JR., did willfully and knowingly make a materially false, fictitious, and fraudulent statement in a matter within the jurisdiction of the legislative branch of the Government of the United States, by falsely stating to a U.S. Senator during a Senate Judiciary Committee hearing that he, JAMES B. COMEY JR., had not “authorized someone else at the FBI to be an anonymous source in news reports” regarding an FBI investigation concerning PERSON 1.
5. That statement was false, because, as JAMES B. COMEY JR. then and there knew, he in fact had authorized PERSON 3 to serve as an anonymous source in news reports regarding an FBI investigation concerning PERSON 1.
6. All in violation of 18 U.S.C. § 1001(a)(2).

COUNT TWO

Obstruction of a Congressional proceeding
[18 U.S.C. § 1505]

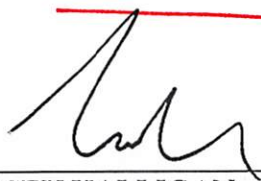
4. On or about September 30, 2020, in the Eastern District of Virginia, the defendant, JAMES B. COMEY JR. did corruptly endeavor to influence, obstruct and impede the due and proper exercise of the power of inquiry under which an investigation was being had before the Senate Judiciary Committee by making false and misleading statements before that committee.
5. All in violation of 18 U.S.C. § 1505.

A TRUE BILL

Pursuant to the E-Government Act,
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Foreperson

By:


LINDSEY HALLIGAN
UNITED STATES ATTORNEY