

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

United States of America	)	
	)	
v.	)	Case No. 1:25CR272
	)	
James Comey	)	
	)	
Defendant.	)	

JAMES COMEY’S MOTION FOR STANDARD DISCOVERY ORDER

On October 8, 2025, the Court ordered the parties to “immediately confer regarding the entry of a joint discovery order” and, if able to reach agreement, “file a joint discovery order by Friday, October 10, 2025, at 5:00 p.m.” ECF No. 24 at 1. The parties have met and conferred and agree that the terms of the standard discovery order should govern this case. As described below, the parties have a disagreement as to the interpretation of one of those terms. James Comey, by counsel, therefore asks this Honorable Court to enter the standard discovery order for this district attached as Exhibit 1, and the proposed order interpreting certain terms.

In the course of the parties’ meet and confer, the government sent the defense the standard discovery order attached and the defense signed it with no changes to the government’s proposal and returned it for government signatures on Thursday afternoon, October 9, 2025. To-date, however, the government has not returned a signed copy. While the parties agree to the terms of the standard discovery order, the parties disagree as to an interpretation of one term of the order—specifically, which of the two pretrial motions deadlines prompts the government’s Rule 16(a) production

described in paragraph 1, requiring the government to produce certain discovery “no later than 5 business days before the *deadline for pretrial motions*.” See Exhibit 1 at 1 (emphasis added).

Mr. Comey asserts that the first set of pretrial motions due on October 20, 2025, which the Court ordered at the arraignment hearing, demands that discovery be produced on Monday, October 13, 2025. Naturally, at least some of this discovery will inform the bases for the vindictive and selective prosecution motion that is to be filed on October 20, 2025. As of the date of this filing, the defense has received one page of discovery. The government contends that the term “deadline for pretrial motions” refers to the deadline for the second tranche of pretrial motions, October 30, 2025.

To be able to fully articulate all bases for the first tranche of pretrial motions including the vindictive and selective nature of this case; to be able to effectively defend Mr. Comey; and because it is the plain language of the standard discovery order, Mr. Comey respectfully requests that the Court enter the additional proposed order making clear that “the deadline for pretrial motions” referenced in the standard discovery order is the first pretrial motions deadline of October 20, 2025.

Respectfully submitted,
JAMES COMEY
By Counsel

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of October I filed the foregoing pleading through the ECF system, which shall then send an electronic copy of this pleading to all parties in this action.

/s/
Jessica N. Carmichael