

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

United States of America,	)	
	)	
v.	)	Case No.: 1:25-CR-00272-MSN
	)	
James B. Comey, Jr.,	)	
	)	
Defendant.	)	
_____	)	

JAMES B. COMEY, JR.'S MOTION TO FILE VIDEO RECORDING

James B. Comey, Jr., by and through undersigned counsel, moves this Court for leave to file the video recording of Senator Ted Cruz's questions to Mr. Comey at 1:54:36 to 1:55:52 during the *Oversight of the Crossfire Hurricane Investigation: Day 3, Hearing Before the Sen. Comm. on the Judiciary*, 116th Cong. (Sept. 30, 2020) ("Oversight Hearing Video Clip") as Exhibit A to Defendant's Motion to Dismiss the Indictment Based on Fundamental Ambiguity & Literal Truth. Defendant seeks to copy the audio recording onto two thumb drives, providing one to the Clerk's office and the second to Chambers with a courtesy copy of the Motion and Memorandum in Support of Motion to Dismiss Indictment.

Exhibit A to Defendant's Motion to Dismiss the Indictment Based on Fundamental Ambiguity & Literal Truth depicts the exchange between Senator Cruz and Mr. Comey on which Count One of the Government's indictment rests (ECF No. 1). The Motion to Dismiss the Indictment Based on Fundamental Ambiguity & Literal Truth quotes the testimony; however, the video recording itself would provide this Court with the most accurate understanding of the exchange.

WHEREFORE, the defendant respectfully requests leave to file the video recording of Oversight Hearing Video Clip as Exhibit A to Defendant's Motion to Dismiss the Indictment

Based on Fundamental Ambiguity & Literal Truth with the Clerk's Office and provide a courtesy thumb drive to the Court's Chambers.

A Proposed Order is attached.

Dated: October 30, 2025

Respectfully submitted,

JAMES B. COMEY, JR.
By Counsel

/s/ Jessica Carmichael

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Counsel for Defendant James B. Comey, Jr.

CERTIFICATE OF SERVICE

I hereby certify that, on this 30th day of October, 2025, a true copy of the foregoing document was filed electronically through the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Jessica N. Carmichael

Jessica N. Carmichael

Counsel for Defendant James B. Comey, Jr.

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ORDER GRANTING LEAVE TO FILE VIDEO RECORDING

UPON MOTION of the defendant, for good cause shown, Defendant's Motion to File Video Recording as Exhibit A to Defendant's Motion to Dismiss the Indictment Based on Fundamental Ambiguity & Literal Truth is GRANTED.

IT IS SO ORDERED.

Date

Michael S. Nachmanoff
United States District Judge