



Written by [R. Cort Kirkwood](#) on November 25, 2025

Trump to Appeal Dismissals of Comey, James Indictments

The Trump administration will appeal a federal judge's dismissal of federal indictments against former FBI chief James Comey and New York Attorney General Letitia James, two of the most notorious hate-Trump activists in the country.

A U.S. District judge appointed by President Bill Clinton, Cameron McGowan Currie, dismissed the indictments on the same grounds that Trump [used to frustrate](#) an indictment against him by Special Counsel Jack Smith.

A federal judge tossed Smith's classified documents case against Trump because Smith was improperly appointed. Currie dismissed the indictments against Comey and James because U.S. Attorney Lindsay Halligan was improperly appointed.

But Currie also dismissed the charges without prejudice, which means they can be refiled. James and Comey aren't out of hot water just yet.



AP Images
Pam Bondi

□ BOOM! AG Pam Bondi just FIRED BACK: IMMEDIATE APPEAL underway after activist judge tossed the indictments on Comey and Letitia James. pic.twitter.com/DT90G1KLdX

— Gunther Eagleman™ (@GuntherEagleman) [November 24, 2025](#)

Comey

James Comey was the first of the two to be charged in what legal analyst Jonathan Turley and podcaster Glenn Greenwald called a case of karma.

Comey, the [indictment alleged](#), “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.’”

He was also charged with obstruction of justice.

As [The New American reported](#) in August, citing Just the News, declassified documents from an FBI probe into leaked classified information show that Comey hired Columbia University law Professor Daniel Richman to peddle pro-Comey material to *The New York Times*. As well, the documents show that Comey offered the bureau's “official assistance” to the newspaper.

Comey is also known [to have fibbed](#) in Senate testimony, along with other top officials, about whether the [bogus Steele dossier](#) was used in the final Intelligence Community Assessment about Trump's so-



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called collusion with Russia to win the 2016 election. [Top officials knew](#) that Hillary Clinton's presidential campaign, with her approval, concocted the collusion yarn.

James

Halligan persuaded a federal grand jury [to indict](#) James on mortgage fraud. The indictment alleged that James lied on a mortgage application by claiming the property would be a residence. But James used the property as a rental.

A secondary rider on the property "required JAMES, as the sole borrower to occupy and use the property as her secondary residence, and prohibited its use as a timesharing or other shared ownership arrangement or agreement that requires her either to rent the property or give any other person any control over the occupancy or use of the property," the [five-page indictment alleged](#):

Despite these representations, the Peronne Property was not occupied or used by JAMES as a secondary residence and was instead used as a rental investment property, renting the property to a family of (3).

Later reporting divulged that James permitted criminal relatives [to live](#) at that property and another one, also the subject of [a criminal referral](#), to which cops [were called](#) again and again.

Dismissal

But the meat of the indictments were unimportant Currie's rulings. Guilt or innocence were not decided.

Rather, Currie dismissed the indictments because Halligan was improperly appointed to be the U.S. attorney for the Eastern District of Virginia, where the grand jury was empaneled.

Today, Judge Cameron McGowan Currie dismissed the indictments of James Comey and Letitia James on the grounds that Lindsey Halligan was not properly appointed as US Attorney.

She got it wrong, quite clearly, and will almost certainly be reversed.

pic.twitter.com/9p1KprgeQ5

— Will Chamberlain (@willchamberlain) [November 24, 2025](#)

The problem for Trump was this: He appointed one interim U.S. attorney, Eric Siebert, to the post after his predecessor, appointed by President Joe Biden, resigned on Inauguration Day. But Siebert didn't think James and Comey should be indicted. Thus did Trump, in his bull-in-a-china-shop approach to governing, appoint Halligan.

In both cases, [Currie ruled](#) that [Trump improperly appointed](#) two interim U.S. attorneys consecutively. Halligan was unlawfully appointed, she ruled, because the appointment trespassed [28 US Code 546](#), which governs the appointment of U.S. attorneys, who must be confirmed by the U.S. Senate. And until that happens, Currie ruled, the district court will appoint an interim attorney, she ruled.

Helpful to Trump's vendetta against the two is that Currie dismissed the cases without prejudice. They can be refiled again.



DOJ Appeal

U.S. Attorney General Pam Bondi said the Justice Department will appeal.

“We’ll be taking all available legal action, including an immediate appeal, to hold Letitia James and James Comey accountable for their unlawful conduct,” she told reporters.

Asked for her response to Comey’s claim that Trump can’t use DOJ to seek vengeance upon his enemies, Bondi said she didn’t much care about it:

I’m going to keep going on this. I’m not worried about someone who has been charged with a very serious crime. His alleged actions were a betrayal of public trust, so...

Whether Comey’s case can be refiled is unclear.

“The manner in which the judge dismissed the Comey indictment could now lead to a legal fight over whether the government can try to refile the charges with another grand jury,” [The New York Times](#) [observed](#):

Mr. Comey was indicted just days before the five-year statute of limitations was set to run out on any charges stemming from his congressional testimony. His lawyers, and a magistrate judge, have said the statute has now expired, meaning charges could not be refiled.

Government prosecutors, however, have argued in court that the statute has not expired, because the clock was essentially paused when the indictment was returned. Mr. Comey’s legal team signaled Monday it was likely to fight any attempt to revive the case, insisting that the statute of limitations had run.

Again, whether Comey and James committed the crimes of which they are accused has not been adjudicated.



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