

(E) IF THE STATE'S ATTORNEY FILES A TIMELY OBJECTION TO THE PETITION, THE COURT SHALL CONDUCT A HEARING. IF THE COURT FINDS THAT THE PERSON IS ENTITLED TO EXPUNGEMENT, IT SHALL ENTER AN ORDER REQUIRING THE EXPUNGEMENT OF POLICE RECORDS AND ALL COURT RECORDS PERTAINING TO THE CHARGE. OTHERWISE, IT SHALL DENY THE PETITION. IF THE PETITION IS BASED UPON THE ENTRY OF A JUDGMENT OF PROBATION WITHOUT FINDING A VERDICT, OR A NOLLE PROSEQUI, OR PLACEMENT ON THE STET DOCKET, THE PERSON IS NOT ENTITLED TO EXPUNGEMENT IF:

(1) HE HAS SINCE BEEN CONVICTED OF ANY CRIME, OTHER THAN VIOLATIONS OF THE STATE VEHICLE LAWS OR OTHER TRAFFIC LAWS, ORDINANCES, OR REGULATIONS NOT CARRYING A POSSIBLE SENTENCE OF IMPRISONMENT, OR

(2) HE IS THEN A DEFENDANT IN A PENDING CRIMINAL PROCEEDING.

(F) THE STATE'S ATTORNEY IS A PARTY TO THE PROCEEDING. ANY PARTY AGGRIEVED BY THE DECISION OF THE COURT HAS THE RIGHT OF APPELLATE REVIEW PROVIDED IN THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.

(G) EVERY CUSTODIAN OF THE POLICE RECORDS AND COURT RECORDS SUBJECT TO THE ORDER SHALL, WITHIN 30 DAYS AFTER ENTRY OF THE ORDER, UNLESS IT IS STAYED [[PENDING]] PENDING AN APPEAL, ADVISE THE COURT AND THE PERSON IN WRITING OF COMPLIANCE WITH THE ORDER.

738. CONSOLIDATED CHARGES.

FOR PURPOSES OF THIS SUBTITLE, TWO OR MORE CHARGES ARISING FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS, SHALL BE CONSIDERED AS A UNIT. IF A PERSON IS NOT ENTITLED TO AN EXPUNGEMENT OF ANY ONE CHARGE OF A UNIT, HE IS NOT ENTITLED TO EXPUNGEMENT OF THE OTHER CHARGES IN THE UNIT.

739. DISCLOSURE OF EXPUNGED RECORDS.

(A) IT IS UNLAWFUL FOR ANY PERSON HAVING OR ACQUIRING ACCESS TO AN EXPUNGED RECORD TO OPEN OR REVIEW IT OR TO DISCLOSE TO ANOTHER PERSON ANY INFORMATION FROM IT WITHOUT AN ORDER FROM THE COURT WHICH ORDERED THE RECORD EXPUNGED, OR, IN THE CASE OF POLICE RECORDS EXPUNGED PURSUANT TO § 736, THE DISTRICT COURT HAVING VENUE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C), A COURT SHALL NOT ENTER AN ORDER AUTHORIZING THE OPENING OR REVIEW OF AN EXPUNGED RECORD OR THE DISCLOSURE OF INFORMATION FROM IT EXCEPT AFTER A HEARING HELD UPON NOTICE TO THE PERSON TO WHOM THE RECORD PERTAINS AND UPON