

and 645J of Article 27 of the Annotated Code of Maryland (1958 Supp.), title "Crimes and Punishments", sub-title "Post Conviction Procedure", providing that a person confined as a result of a proceeding before a trial magistrate, including a magistrate of the Traffic Court of Baltimore City, may institute a proceeding under the Post Conviction Procedure Act, clarifying the necessity of a hearing under said Act, and allowing a court to dismiss a subsequent petition without a hearing or appointment of counsel where, in the opinion of the court, there are no grounds for relief, and providing that this shall be a Uniform Act.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 645A, sub-section (b) of Section 645B, and Sections 645C, 645G, 645H and 645J of Article 27 of the Annotated Code of Maryland (1958 Supp.), title "Crimes and Punishments", sub-title "Post Conviction Procedure", be, and the same are hereby repealed and re-enacted, with amendments, to read as follows:

645A. (a) Any person convicted of a crime and incarcerated under sentence of death or imprisonment, including those confined as a result of a proceeding *before a trial magistrate, including a magistrate of the Traffic Court of Baltimore City,* or under Article 31B of the Code, title "Defective Delinquents", who claims that the sentence or judgment was imposed in violation of the Constitution of the United States or the Constitution or laws of this State, or that the court *or trial magistrate, including a magistrate of the Traffic Court of Baltimore City,* was without jurisdiction to impose the sentence, or that the sentence exceeds the maximum authorized by law, or that the sentence is otherwise subject to collateral attack upon any ground of alleged error heretofore available under a writ of habeas corpus, writ of coram nobis, or other common law or statutory remedy, may institute a proceeding under this subtitle to set aside or correct the sentence, provided the alleged error has not been previously and finally litigated or waived in the proceedings resulting in the conviction, or in any other proceeding that the petitioner has taken to secure relief from his conviction.

(b) The remedy herein provided is not a substitute for, nor does it affect any remedies which are incident to the proceedings in the trial court *or before the trial magistrate, including a magistrate of the Traffic Court of Baltimore City,* or any remedy of direct review of the sentence or conviction. A petition for relief under this sub-title may be filed at any time. Hereafter no appeals to the Court of Appeals of Maryland in habeas corpus or coram nobis cases, or from other common law or statutory remedies which have heretofore been available for challenging the validity of incarceration under sentence of death or imprisonment shall be permitted or entertained, except appeals in such cases pending in the Court of Appeals on June 1, 1958, shall be processed in due course.

645B. (b) If a court or judge so determines that the application should be entertained as a proceeding under this sub-title, he shall with the consent of the applicant, pass an order to that effect and shall direct the clerk of court to transmit the application, a certified copy of the order, and any other pertinent papers to the [court in which] *Circuit Court or Criminal Court of Baltimore in the county or city where the conviction took place.* In this event, the provisions of this subtitle, to the extent applicable, shall govern the proceeding.