

the proper exercise of its jurisdiction on appeal from the Municipal Court of Baltimore City shall be permitted only in those cases specifically set forth in Section 12A of this article. *A defendant in a criminal action may appeal to the Court of Appeals from any conviction where the sentence is death or from any death sentence imposed by a circuit court of a county or the Criminal Court of Baltimore.*

*At any time or from time to time after the date on which this section becomes effective the Court of Appeals may by its order transfer all or any number of the appeals and applications for leave to appeal directed by this section, Section 645-I of Article 27 and Section 11 of Article 31B to be filed in the Court of Special Appeals then pending on its docket from said docket to the docket of the Court of Special Appeals, and the appeals and applications for leave to appeal so transferred shall be decided by the Court of Special Appeals.*

12A. A defendant in a criminal action may appeal to the [Court of Appeals] *Court of Special Appeals* from a conviction or sentence imposed by the Criminal Court of Baltimore in the proper exercise of its jurisdiction on appeal from the Municipal Court of Baltimore City only in the following cases:

(1) Where the Municipal Court of Baltimore City lacked jurisdiction to hear, try and determine the case on the merits; or

(2) Where the sentence of the Municipal Court of Baltimore City was imprisonment only and the sentence of the Criminal Court of Baltimore on appeal therefrom is imprisonment for a greater term, or imprisonment for the same term and a fine; or

(3) Where the sentence of the Municipal Court of Baltimore City was a fine only and the sentence of the Criminal Court of Baltimore on appeal therefrom is any imprisonment, with or without a fine, or a greater fine; or

(4) Where the sentence of the Municipal Court of Baltimore City was both fine and imprisonment and the sentence of the Criminal Court of Baltimore on appeal therefrom is imprisonment for a greater term, with or without a fine, or a greater fine with the same term of imprisonment, or both a greater fine and a greater term of imprisonment; or

(5) Where the period of suspension of any type of license to operate a motor vehicle imposed by the Criminal Court of Baltimore is greater than the period of suspension imposed by the Municipal Court of Baltimore City regardless of whether either the fine or imprisonment or both imposed by the Criminal Court of Baltimore are less than that imposed by the Municipal Court of Baltimore City; or

(6) Where a question arising under the Constitution of the United States or under the Constitution or Declaration of Rights of this State has been clearly raised in the Criminal Court of Baltimore and decided adversely to the defendant; provided, however, that no appeal to the [Court of Appeals] *Court of Special Appeals* shall lie where any sentence to imprisonment by the Criminal Court of Baltimore is for a lesser term than that imposed by the Municipal Court of Baltimore City without regard to any fine imposed by the Criminal Court of Baltimore.