

ment), title "Appeals," subtitles, respectively, "Appeals to Court of Appeals and Court of Special Appeals," "Appeals to Circuit Courts for Counties and Superior Court of Baltimore City," and "Appeal from Municipal Court of Baltimore City to Criminal Court of Baltimore," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

1. Appeals from final judgments; judgments on appeal from District Court.

Any party may appeal to the Court of Appeals from any final judgment or determination of a court of law in any civil suit or action, including a mandamus action, or in any prosecution for the recovery of any penalty or fine or damages unless the suit or action or prosecution is subject to the appellate jurisdiction of the Court of Special Appeals, in which event any party may appeal to the Court of Special Appeals from such judgment or determination; [provided, however, that this section shall not be construed to] *but this section does not* permit an appeal to the Court of Appeals or to the Court of Special Appeals from any judgment or determination entered by a court of law in the proper exercise of its jurisdiction on appeal from [a justice of the peace, people's court, or trial magistrate] *the District Court.*

12. Right of appeal by defendant generally; transfer of pending appeals to Court of Special Appeals.

A defendant in a criminal action may appeal to the Court of Special Appeals from any conviction where the sentence is other than death or from any sentence other than death imposed by a circuit court of a county or by the Criminal Court of Baltimore, except that an appeal from a conviction or sentence imposed by a circuit court of a county in the proper exercise of its jurisdiction on appeal from [any people's court or a trial magistrate shall] *the District Court is not [be] permitted*, and an appeal 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 shall be] *the District Court is not permitted [only in those cases specifically set forth in § 12 A 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, § 645-I of Article 27 and § 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.]

13. Right of appeal where sentence suspended.

In all criminal actions where sentence has been suspended by the court the defendant shall have a right to appeal under § 12 [or § 12A] of this article in the same manner as if sentence or judgment had been entered in said action.