

own motion, as well as on petition. The time limit inserted at the end of §12-201 is not contained in present statutory law, but is consistent with Md. Rule 812.a. The provision is added to make it clear that the "before or after" language is not intended to supersede the rule.

The exceptions contained in § 12-202 are essentially those set forth in Art. 5, § 21A, except that the fourth item is based on the last sentence of Art. 42, §20, as amended by Ch. 392, Acts of 1972. It is placed here in order to include all the principal exceptions in one place.

The exceptions have also been revised to make it clear that the Court of Appeals has no jurisdiction at all to review cases in these categories. The present language refers in terms only to actions "denying or granting" leave to appeal or a writ of certiorari; it does not expressly prohibit review of a decision rendered after certiorari, for example, has been granted.

The revisor is informed that this view of the statute was adopted by the Court of Appeals when it withdrew its order granting certiorari in Cherry v. State, 9 Md. App. 416 (1970).

The only other changes made are in style.

SUBTITLE 3. REVIEW OF DECISIONS OF TRIAL COURTS OF GENERAL JURISDICTION.

SEC. 12-301. APPEALS FROM FINAL JUDGMENTS.

EXCEPT AS PROVIDED IN §12-302, A PARTY MAY APPEAL FROM A FINAL JUDGMENT ENTERED IN A CIVIL OR CRIMINAL CASE BY A CIRCUIT COURT. THE RIGHT OF APPEAL EXISTS FROM A FINAL JUDGMENT ENTERED BY A COURT IN THE EXERCISE OF ORIGINAL, SPECIAL, LIMITED, STATUTORY JURISDICTION, UNLESS IN A PARTICULAR CASE THE RIGHT OF APPEAL IS EXPRESSLY DENIED BY LAW. IN A CRIMINAL CASE, THE DEFENDANT MAY APPEAL EVEN THOUGH IMPOSITION OF EXECUTION OF SENTENCE HAS BEEN SUSPENDED.

REVISOR'S NOTE: This section consolidates and simplifies the basic provisions of Art. 5,