

Par. (14) Art. 59

Paragraphs (16) and (17) in subsection (a) are based on new language added by Ch. 361, Acts of 1972. Paragraph (6) reflects Ch. 392, Acts of 1972. Subsection (a) presently appears as Art. 5, §5C(b) and subsection (b) is §5D(a). Both were added by Ch. 56, Acts of 1973. The only other changes made are in style.

SUBTITLE 4. REVIEW OF DECISIONS OF DISTRICT COURT.

SEC. 12-401. (A) RIGHT OF APPEAL IN GENERAL. A PARTY IN A CIVIL CASE OR THE DEFENDANT IN A CRIMINAL CASE MAY APPEAL FROM A FINAL JUDGMENT ENTERED IN THE DISTRICT COURT. IN A CRIMINAL CASE, THE DEFENDANT MAY APPEAL EVEN THOUGH IMPOSITION OR EXECUTION OF SENTENCE HAS BEEN SUSPENDED.

REVISOR'S NOTE: This new subsection provides the basic appeal rights now contained in Art. 26, §156, as re-enacted by Ch. 181, Acts of 1972.

The last sentence follows the last sentence of §12-301; see also Art. 5, §30(a) as re-enacted by Ch. 181, Acts of 1972. The references to appeals after a nolo contendere plea and after a plea of guilty are both omitted. The §12-101(f) definition of "final judgment" specifically includes a sentence, which would include a sentence imposed after a nolo plea or after a guilty plea. Hence, the specific references seem unnecessary. The reference to traffic cases now included in Art. 26, §156 has been eliminated by reason of the definition of "criminal case" appearing in §12-101(e).

(B) TIME FOR APPEAL.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2), AN APPEAL SHALL BE TAKEN BY FILING AN ORDER FOR APPEAL WITH THE CLERK OF THE DISTRICT COURT WITHIN 30 DAYS FROM THE DATE OF THE FINAL JUDGMENT FROM WHICH APPEALED.

(2) IF THE FINAL JUDGMENT WAS ENTERED IN A CASE FILED UNDER §§ 8-331, 8-401, 8-402, OR 14-109 OF ARTICLE 21 OF THE CODE, THE ORDER FOR APPEAL SHALL BE FILED WITHIN THE TIME PRESCRIBED BY THE PARTICULAR