

SECTION.

REVISOR'S NOTE: Paragraph (1) follows the language of Md. Rule 1312. In general, the matter of time for appeal has been left to rule (see Md. Rules 812 and 1012, as well as 1312); and see revisor's note to §12-201. But the fact that the 1972 General Assembly decided to retain certain specific statutory appeal times (Chs. 181 and 349, Acts of 1972) suggests the desirability of continued Code treatment of the subject. This makes it clear that Md. Rule 1312 is in fact subject to the exceptions set forth in paragraph (2); see Art. 26, §156(c) and (d).

The sections referred to are all in new Art. 21 of the Code, as enacted by Ch. 349, Acts of 1972, effective January 1, 1973. The subject matter of the sections was formerly contained in Art. 53, §§39 & 39R, Art. 53, §4, and Art. 52, §7; see also, as to the last, Art. 26, §145A, as enacted by Ch. 181, Acts of 1972. They all deal with various landlord-tenant procedures except the last, which covers grantee suits.

(C) DE NOVO AND ON RECORD APPEALS.

IN A CIVIL CASE IN WHICH THE AMOUNT IN CONTROVERSY EXCEEDS \$500, AND IN ANY CASE IN WHICH THE PARTIES SO AGREE, AN APPEAL SHALL BE HEARD ON THE RECORD MADE IN THE DISTRICT COURT. IN EVERY OTHER CASE, INCLUDING A CRIMINAL CASE IN WHICH SENTENCE HAS BEEN IMPOSED OR SUSPENDED FOLLOWING A PLEA OF NOLO CONTENDERE OR GUILTY, AN APPEAL SHALL BE TRIED DE NOVO.

REVISOR'S NOTE: This subsection is the substance of the de novo - non - de novo portion of Art. 26, §156(a) as re-enacted by Ch. 181, Acts of 1972. Subsections (b) and (e), §156 are eliminated because the former is fully covered by Md. Rule 1370 and the latter by Art. IV, §18A of the Constitution. M.D.R. 4 provides for procedure for making the record in the District Court.

The problem of the case in which there is no amount in controversy (in which event there would presumably be a de novo appeal, because the amount would not exceed \$500) is left for