

unless said decision upon the merits of such petition is clearly erroneous.

(e) The remedy herein provided is not a substitute for, nor does it affect any remedies which are incident to the proceedings in the trial court or any remedy of direct review of the sentence or conviction. A petition for relief under this subtitle may be filed at any time, except that where an appeal has been taken from the judgment of conviction to the [Court of Appeals or] Court of Special Appeals, it shall not be necessary to appoint counsel or conduct a hearing or take any action whatsoever on the petition, until the judgment of conviction becomes final in the [court to which the appeal was taken] COURT OF SPECIAL APPEALS. No appeals to the Court of Appeals [of Maryland] or the Court of Special Appeals in habeas corpus or coram notis cases, or from other common-law or statutory remedies which have heretofore been available for challenging the validity of incarceration under sentence of death or imprisonment shall be permitted or entertained, except appeals in such cases pending in the Court of Appeals on June 1, 1958, shall be processed in due course. Provided, however, that nothing in this subtitle shall operate to bar an appeal to the Court of Special Appeals (1) in a habeas corpus proceeding instituted under § 25 of Article 41 of this Code or (2) in any other proceeding in which a writ of habeas corpus is sought for any purpose other than to challenge the legality of a conviction of a crime or sentence of death or imprisonment therefor, including confinement as a result of a proceeding under Article 31B of this Code.

645E.

If after judgment, a review is sought by the petitioner within thirty (30) days and [the Court of Appeals or] the Court of Special Appeals grants leave to appeal pursuant to § 645-I of this article and [either of said courts] THE COURT finds that the petitioner is unable to pay the costs of the review, [said courts] THE COURT shall order that all necessary costs and expenses incident thereto, including all court costs, stenographic services, and printing, be paid by the political subdivision in which the judgment is rendered.

645-I.

Any person, including the Attorney General of Maryland or the State's attorney for Baltimore City or any county, as the case may be, aggrieved by the order of the court or judge passed in accordance with this subtitle, [may within thirty (30) days after the passage of said order apply to the Court of Appeals of Maryland for leave to prosecute an appeal therefrom in cases where the applicant is incarcerated under sentence of death, and] may within thirty (30) days after the passage of said order apply to the Court of Special Appeals for