

(5) The defendant committed the murder pursuant to an agreement or contract to commit the murder for pecuniary gain;

(6) At the time of the murder, the defendant was under a sentence of life imprisonment;

(7) The defendant committed more than one offense of murder in the first degree arising out of the same or separate incidents;

(8) The defendant committed the murder while committing or attempting to commit robbery.]

645JA.

(A) Unless no different sentence could have been imposed or unless the sentence was imposed by more than one trial judge, every person convicted of a crime [after July 1, 1966,] by any trial court of this State and sentenced to serve, with or without suspension, a total of more than two [(2)] years imprisonment in any penal or correctional institution in this State[, or sentenced to death,] shall be entitled to have the sentence reviewed by a panel of three [(3)] or more trial judges of the judicial circuit in which the sentencing court is located[; provided, however, that no]. HOWEVER, A person [shall have the] HAS NO right to have any sentence reviewed more than once pursuant to this section. Notwithstanding any rule of the Court of Appeals to the contrary, the judge who sentenced the convicted person shall not be one of the members of the panel, but if he so desires he may sit with the panel in an advisory capacity only.

(B) THE REVIEW OF A SENTENCE OF DEATH IS GOVERNED BY THE PROVISIONS OF SECTION 414 OF THIS ARTICLE.

645JC.

The panel shall have the right to require the Department of Parole and Probation to investigate, report, and make recommendations with regard to any such application for review. The panel shall consider each application for review and shall have the power, with or without holding a hearing, to order a different sentence to be imposed or served, including, by way of illustration and not by way of limitation, an increased or decreased sentence, or a suspended sentence to be served in whole or in part, or a sentence to be suspended with or without probation, upon such terms and conditions as the panel may deem just and which could lawfully have been imposed by the sentencing court at the time of the imposition of the sentence under review, or the panel may decide that the sentence under review should stand unchanged; except that the panel, without holding a hearing, shall not increase any sentence, or order any suspended sentence or any suspended part of a sentence to be served[, or order the reduction of a death