

(9) -- AT THE HEARING, THE INMATE:

(i) --- SUBJECT TO THE REASONABLE RESTRICTIONS RELATED TO THE INMATE'S CONDITION, HAS THE RIGHT TO BE PRESENT;

(ii) -- HAS THE RIGHT THROUGH COUNSEL TO OFFER EVIDENCE, CROSS-EXAMINE WITNESSES AGAINST THE INMATE, AND MAKE ARGUMENT; AND

(iii) -- HAS THE BURDEN OF ESTABLISHING INSANITY BY A PREPONDERANCE OF THE EVIDENCE IF THE INMATE, INMATE'S COUNSEL, OR OTHER PERSON ON THE INMATE'S BEHALF FILED THE PETITION.

(c) (1) -- THE COURT SHALL ENTER AN ORDER DECLARING THE INMATE TO BE SANE OR INSANE AND STATING THE FINDINGS ON WHICH THE CONCLUSION IS BASED.

(2) -- IF THE COURT FINDS THE INMATE TO BE SANE, IT SHALL ORDER THE INMATE TO BE RETURNED TO JAIL.

(3) -- IF THE COURT FINDS THE INMATE TO BE INSANE, IT SHALL ORDER THE INMATE TO BE REMOVED FROM THE JAIL AND PLACED IN A HOSPITAL OR OTHER APPROPRIATE FACILITY WHERE THE INMATE WILL RECEIVE PROPER CARE AND TREATMENT.

(4) -- IF THE INMATE BECOMES SANE BEFORE THE END OF THE INMATE'S TERM OF CONFINEMENT, THE COURT, IN ITS DISCRETION, MAY:

(i) -- ORDER THE INMATE TO BE RETURNED TO JAIL; OR

(ii) -- ORDER THE INMATE'S DISCHARGE.

(5) -- THERE IS NO RIGHT OF APPEAL FROM THE COURT'S ORDER. HOWEVER, EITHER PARTY MAY SEEK REVIEW IN THE COURT OF APPEALS BY FILING AN APPLICATION FOR LEAVE TO APPEAL IN ACCORDANCE WITH THE MARYLAND RULES.

(d) (1) -- NOT EARLIER THAN 6 MONTHS AFTER A FINDING OF SANITY, THE INMATE MAY PETITION THE COURT FOR A REDETERMINATION OF SANITY.

(2) -- A PETITION UNDER THIS SUBSECTION MUST BE ACCOMPANIED BY AN AFFIDAVIT OF AT LEAST ONE PSYCHIATRIST, BASED AT LEAST IN PART, ON PERSONAL EXAMINATION, ATTESTING:

(i) -- THAT, IN THE PSYCHIATRIST'S MEDICAL OPINION, THE INMATE IS INSANE;

(ii) -- THAT THE INSANITY AROSE SINCE THE PRIOR FINDING OF SANITY; AND