

(1) Is awaiting sentencing for any crime other than theft, if the crime is punishable by more than 10 years imprisonment or by death;

(2) Is charged with another crime; or

(3) Is serving a sentence in a correctional institution.

[9-630.] 8-630.

(a) If it appears to a court that a defendant who has been convicted of, but not yet sentenced for a crime, may [be a drug addict] HAVE A DRUG DEPENDENCE or if the defendant notifies the court of a desire to be committed to the Administration, the court may order that a petition for commitment be made, as provided in Part IV of this subtitle.

(b) (1) As ordered by the court, a petition under this section shall be filed:

(i) If the defendant desires commitment, by the State's attorney or the defense counsel; or

(ii) By the State's attorney.

(2) The court may keep jurisdiction for purposes of the commitment proceeding or order the filing of the petition with any other court of competent jurisdiction.

(c) If the court orders a commitment petition to be filed, the court shall suspend the imposition of sentence and adjourn the criminal proceeding.

(d) After the court adjourns the criminal proceeding, the court shall order the Administration to examine and evaluate the defendant to determine whether the defendant is:

(1) [A drug addict] AN INDIVIDUAL WITH A DRUG DEPENDENCE; and

(2) An appropriate individual for rehabilitation.

[9-631.] 8-631.

A petition under § [9-630] 8-630 of this subtitle shall:

(1) Be signed and verified by the petitioner;

(2) Unless the petitioner is the [alleged drug addict] INDIVIDUAL ALLEGED TO HAVE A DRUG DEPENDENCE, state the petitioner's: