

WILLIAM DONALD SCHAEFER, Governor

(f) An order of restitution may not preclude the owner of the property or the victim who suffered personal physical or mental injury or out-of-pocket loss of earnings or support from proceeding in a civil action to recover damages from the defendant. A civil verdict shall be reduced by the amount paid under the criminal restitution order.

(G) (1) AN ORDER OF RESTITUTION SHALL CONSTITUTE JUDGMENT AS IN A CIVIL ACTION.

(2) AN ORDER OF RESTITUTION FROM THE DISTRICT COURT OR THE CIRCUIT COURT SHALL BE INDEXED AND RECORDED AS PRESCRIBED BY THE MARYLAND RULES OR THE MARYLAND DISTRICT RULES.

(3) A JUDGMENT ENTERED UNDER THIS SECTION CONSTITUTES A LIEN IN THE AMOUNT OF THE JUDGMENT ON THE REAL PROPERTY OF THE DEFENDANT ONLY:

(I) FROM THE DATE OF RECORDING IN THE CIVIL JUDGMENT INDEX AS PRESCRIBED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

(II) ON REAL PROPERTY LOCATED IN THE COUNTY OF RECORDING, WHETHER RECORDED IN THE COUNTY OF ENTRY OR IN ANOTHER COUNTY UNDER MARYLAND RULE 2-623(A).

(3) (4) UNLESS COMPLETE RESTITUTION HAS BEEN PAID, TERMINATION OF RESTITUTION OR PROBATION BY A COURT DOES NOT AFFECT A JUDGMENT ENTERED UNDER THIS SECTION.

(H) (1) A VICTIM OR OTHER PERSON MAY NOT EXECUTE ON A JUDGMENT INDEXED AND RECORDED UNDER SUBSECTION (G) OF THIS SECTION IF THE DEFENDANT CHALLENGES THE CONVICTION OR ORDER OF RESTITUTION BY:

(I) FILING A MOTION TO STAY EXECUTION OF SENTENCE UNDER THE MARYLAND RULES;

(II) FILING AN APPEAL IN A STATE COURT OR IN FEDERAL COURT;

(III) APPLYING FOR LEAVE TO APPEAL FOLLOWING A PLEA OF GUILTY IN A CIRCUIT COURT;

(IV) FILING A MOTION FOR EXERCISE OF REVISORY POWER BY THE SENTENCING COURT UNDER THE MARYLAND RULES;

(V) FILING AN APPLICATION FOR REVIEW OF CRIMINAL SENTENCE UNDER ARTICLE 27, §§ 645JA THROUGH 645JG OF THE CODE (SUBHEADING "REVIEW OF CRIMINAL SENTENCES");