

Annotated Code of Maryland
(1989 Replacement Volume and 1993 Supplement)

BY repealing and reenacting, with amendments,
Article - Courts and Judicial Proceedings
Section 12-401(a)
Annotated Code of Maryland
(1989 Replacement Volume and 1993 Supplement)

BY adding to
Article - Courts and Judicial Proceedings
Section 12-401(c)
Annotated Code of Maryland
(1989 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 12-401(b), (c), (d), and (e), respectively, of Article - Courts and Judicial Proceedings of the Annotated Code of Maryland be renumbered to be Section(s) 12-401 (d), (e), (f), and (g), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

12-401.

(a) A party in a civil case [or the defendant in a criminal case] may appeal from a final judgment entered in the District Court.

(B) In a criminal case[, the]:

(1) THE State may appeal from a final judgment [if] ENTERED IN THE DISTRICT COURT:

(I) IF the State alleges that the trial judge failed to impose the sentence specifically mandated by the Code; OR

(II) GRANTING A MOTION TO DISMISS, OR QUASHING OR DISMISSING A CHARGING DOCUMENT. [In a criminal case, the]

(2) THE defendant may appeal even FROM A FINAL JUDGMENT ENTERED IN THE DISTRICT COURT though imposition or execution of sentence has been suspended.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN APPEAL TAKEN UNDER SUBSECTION (B)(1)(II) OF THIS SECTION SHALL BE:

(1) TO THE CIRCUIT COURT SOLELY FOR THE PURPOSE OF REVIEWING THE JUDGMENT OF THE DISTRICT COURT; AND