

645A.

(a) (1) Subject to the provisions of paragraphs (2) and (3) of this subsection, any person convicted of a crime and either incarcerated under sentence of death or imprisonment or on parole or probation, including any person confined or on parole or probation as a result of a proceeding before the District Court who claims that the sentence or judgment was imposed in violation of the Constitution of the United States or the Constitution or laws of this State, or that the court was without jurisdiction to impose the sentence, or that the sentence exceeds the maximum authorized by law, or that the sentence is otherwise subject to collateral attack upon any ground of alleged error which would otherwise be available under a writ of habeas corpus, writ of coram nobis, or other common-law or statutory remedy, may institute a proceeding under this subtitle in the circuit court for the county to set aside or correct the sentence, provided the alleged error has not been previously and finally litigated or waived in the proceedings resulting in the conviction, or in any other proceeding that the petitioner has taken to secure relief from his conviction.

(2) (I) A person may [not file more than 2 petitions] FILE ONLY ONE PETITION, arising out of each trial, for relief under this subtitle.

(II) THE COURT MAY IN ITS DISCRETION REOPEN A POSTCONVICTION PROCEEDING THAT WAS PREVIOUSLY CONCLUDED IF THE COURT DETERMINES THAT SUCH ACTION IS ~~NECESSARY TO AVOID A MISCARRIAGE IN THE~~ INTERESTS OF JUSTICE.

(3) (i) Subject to the provisions of subparagraph (ii) of this paragraph, in a case in which a sentence of death has been imposed, the circuit court may not exercise jurisdiction over [an initial] A proceeding under this subheading unless the petition [for the initial proceeding] is filed within [240] ~~180~~ 240 210 days after the date of:

1. An order denying a petition for a writ of certiorari by the Supreme Court of the United States;

2. A decision affirming the death sentence by the Supreme Court of the United States; or

3. The expiration of the time for seeking review by the Supreme Court of the United States if no review is sought.

(ii) The circuit court may extend the period within which the petition [for an initial proceeding] shall be filed if good cause for the extension is shown.

~~¶~~(4) Notwithstanding any other provision of law AND SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, a warrant of execution shall be stayed for ~~240~~ 210 days after the date of:

(i) An order denying any petition for a writ of certiorari by the Supreme Court of the United States;

(ii) A decision affirming the death sentence by the Supreme Court of the United States; or