

- (4) A nolle prosequi is entered,
- (5) The proceeding is placed on the stet docket,
- (6) The case is compromised pursuant to Article 10, § 37 of this Code,
- (7) The person is convicted of only one criminal act, which is not a crime of violence, and is subsequently granted a full and unconditional pardon by the Governor, or
- (8) The charge was transferred to Juvenile Court jurisdiction under § 594A of this article.

(b) (1) [A] IF A CRIMINAL CHARGE WAS TRANSFERRED TO THE JUVENILE COURT UNDER § 594A OF THIS ARTICLE, A court shall grant a petition [under subsection (a)(8) of this section] FOR EXPUNGEMENT if:

- (i) The charge transferred under § 594A of this article did not result in the filing of a petition under § 3-810 of the Courts and Judicial Proceedings Article; or
- (ii) The charge did result in the filing of a petition under § 3-810 of the Courts and Judicial Proceedings Article but the decision on the petition was a finding of facts-not-sustained.

(2) (I) A PETITION FOR EXPUNGEMENT OF A CRIMINAL CHARGE TRANSFERRED TO THE JUVENILE COURT UNDER § 594A OF THIS ARTICLE MAY BE FILED AT ANY TIME AFTER:

- 1. IF A PETITION IS NOT FILED UNDER § 3-810 OF THE COURTS ARTICLE, THE DATE OF THE DECISION NOT TO FILE A PETITION; OR
- 2. IF A PETITION IS FILED UNDER § 3-810 OF THE COURTS ARTICLE, THE DECISION ON A PETITION OF FACTS-NOT-SUSTAINED.

[(2)](II) If a charge transferred under § 594A of this article resulted in the filing of a petition under § 3-810 of the Courts and Judicial Proceedings Article and the adjudication of the child as delinquent, the court may grant a petition [of] FOR expungement [under subsection (a)(8) of this section] on or after the 21st birthday of the petitioner.

(c) The petition shall be filed in the court in which the proceeding was commenced. If the proceeding was commenced in one court and transferred to another court, the petition shall be filed in the court to which the proceeding was transferred. If the proceeding in a court of original jurisdiction was appealed to a court exercising appellate jurisdiction, the petition shall be filed in the appellate court. However, the appellate court may remand the matter to the court of original jurisdiction.

[(d) (1) With the exception of a petition based on subsection (a)(3), (4), (7), or (8) of this section or a petition filed under paragraph (2) of this subsection, the petition may not be filed earlier than 3 years after the date the judgment or order was entered or the action was taken which terminated the proceeding. However, except for an acquittal on grounds of insanity, the three-year waiting period does not apply to a circumstance specified in subsection (a)(1) or subsection (a)(2) if a person files, with the petition, a written general waiver and release, in proper legal form, of all claims he may have against