

1. A postconviction proceeding that has been reopened under § 645A(a)(2)(ii) of this article or any appellate review of such proceeding; or

2. A postconviction proceeding on a second petition filed before October 1, 1995 or any appellate review of such proceeding.

(3) "Warrant of execution" means a warrant for the execution of a person who has been sentenced to death.

(b) (1) When a person is sentenced to the punishment of death, the judge or judges presiding in the court shall, at the time of passing sentence, make out, sign and issue a warrant of execution directed to the [warden of the Maryland Penitentiary] COMMISSIONER OF CORRECTION, stating the conviction and sentence and appointing a 5-day period beginning on a Monday within which the sentence must be executed, and commanding the [said warden] COMMISSIONER OF CORRECTION to execute the sentence upon some day within the period so appointed.

(2) A warrant of execution shall be stayed during the direct review process and the State postconviction review process.

(3) (i) If the original warrant of execution has not yet expired at the conclusion of the State postconviction review process, the judge who imposed the death sentence or the judge then presiding in the trial court in which the sentence was imposed shall lift the stay imposed under paragraph (2) of this subsection.

(ii) If the original warrant of execution has expired at the conclusion of the State postconviction review process, the judge who imposed the death sentence or the judge then presiding in the trial court in which the sentence was imposed shall issue another warrant of execution as provided under paragraph (1) of this subsection.

(c) If, after medical examination, it shall appear to the satisfaction of the Governor that a female defendant, sentenced to the punishment of death, is pregnant, the Governor shall revoke the warrant of execution previously issued. As soon as the Governor is satisfied that such female defendant is no longer pregnant, he shall issue forthwith his warrant of execution appointing a 5-day period beginning on a Monday within which the sentence must be executed.

(d) The Governor shall have the power, in his discretion, to grant a stay for any cause and, upon so doing, he shall issue an order revoking the warrant of execution theretofore issued. Thereafter, the sentence shall not be executed until the Governor shall issue his warrant of execution appointing a 5-day period beginning on a Monday within which the sentence must be executed.

(e) The Governor shall notify the [warden] COMMISSIONER OF CORRECTION forthwith of the revocation of a warrant of execution by him.

(f) Each warrant of execution shall designate a 5-day period beginning on a Monday within which the sentence must be executed, and shall command the warden to execute the sentence upon some day within the period so designated. The period so designated must begin not less than four (4) weeks and not more than eight (8) weeks after the issuance of the warrant of execution. The time of the execution within such period shall be left to the discretion of the [warden of the Maryland Penitentiary]