

SERVICES ARTICLE. A separate occasion shall be considered one in which the second or succeeding offense is committed after there has been a charging document filed for the preceding occasion.

643C.

(a) Nothing in this article OR § 3-218, § 3-305(C)(2), § 3-409(A) OR (C), § 3-803(B), § 3-807(I), § 3-808(D), § 3-811(C), §§ 8-801 THROUGH 8-808, § 9-602(E), § 11-702(B)(8)(I), § 11-703(D)(5)(III) AND (F)(4), § 11-705(H), § 11-706(B)(8), § 11-708(B)(8)(II), § 11-711(H)(2), § 11-712(C)(6)(II), § 11-714(C)(6), § 11-715(G)(2), § 11-716(H)(2), § 11-717(F)(2), § 11-723(B)(8)(I), OR § 11-724(H)(2) OF THE CORRECTIONAL SERVICES ARTICLE may be construed to prohibit the use of judicial guidelines in setting sentences.

645A.

(e) The remedy herein provided is not a substitute for, nor does it affect any remedies which are incident to the proceedings in the trial court or any remedy of direct review of the sentence or conviction. Except as provided in subsection (a)(3) of this section, a petition for relief under this subtitle may be filed at any time, except that where an appeal has been taken from the judgment of conviction to the Court of Special Appeals, it shall not be necessary to appoint counsel or conduct a hearing or take any action whatsoever on the petition, until the judgment of conviction becomes final in the Court of Special Appeals. No appeals to the Court of Appeals or the Court of Special Appeals in habeas corpus or coram nobis cases, or from other common-law or statutory remedies which have heretofore been available for challenging the validity of incarceration under sentence of death or imprisonment shall be permitted or entertained, except appeals in such cases pending in the Court of Appeals on June 1, 1958, shall be processed in due course. Provided, however, that nothing in this subtitle shall operate to bar an appeal to the Court of Special Appeals (1) in a habeas corpus proceeding instituted under § 2-210 of Article 41 of this Code or (2) in any other proceeding in which a writ of habeas corpus is sought for any purpose other than to challenge the legality of a conviction of a crime or sentence of death or imprisonment therefor, including confinement as a result of a proceeding under [Article 31B of this Code] TITLE 4 OF THE CORRECTIONAL SERVICES ARTICLE.

776.

(c) Although not a party to a criminal proceeding, the victim of the violent crime for which the defendant is charged has the right to file an application for leave to appeal to the Court of Special Appeals from an interlocutory or final order that denies or fails to consider a right secured to that victim by § 773(c), § 780, § 780A, or § 781 of this subtitle or [Article 41, § 4-609 of the Code] § 6-112 OF THE CORRECTIONAL SERVICES ARTICLE.

781.

(b) A presentence investigation that is completed by the Division of Parole and Probation under [Article 41, § 4-609 of the Code] § 6-112 OF THE CORRECTIONAL SERVICES ARTICLE or a predisposition investigation that is completed by the Department of Juvenile Justice shall include a victim impact statement, if: