

(1) A PERSON SEEKS A REVIEW UNDER THIS SECTION WITHIN 30 DAYS AFTER JUDGMENT;

(2) THE COURT OF SPECIAL APPEALS GRANTS LEAVE TO APPEAL UNDER THIS SECTION; AND

(3) THE COURT OF SPECIAL APPEALS FINDS THAT THE PERSON IS UNABLE TO PAY THE COSTS OF THE REVIEW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 645E and 645-I.

In subsection (a) of this section, the reference to "passes an order" is substituted for the former reference to its "passage" for consistency throughout the revised articles of the Code. Correspondingly, in subsection (c) of this section, the word "passed" is substituted for the former word "rendered".

Also in subsection (a) of this section, the former reference to the State's Attorney "for Baltimore City or any county, as the case may be," is deleted as implied in the reference to a "State's Attorney".

In subsection (b)(2)(ii) of this section, the reference to "set bail for the petitioner" is substituted for the former reference to "admit the petitioner to bail for his appearance when required" for brevity and clarity.

As to the reference to the Maryland Rules in subsection (b)(1) of this section, *see* Md. Rule 8-204.

As to the reference to the Maryland Rules in subsection (b)(3) of this section, *see* Md. Rules 8-205 through 8-207.

In subsection (c)(1) and (3) of this section, the defined term "person" is substituted for the former word "petitioner" to conform to the terminology used throughout this title.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that subsection (a) of this section conflicts with the Maryland Rules regarding all appellate proceedings in cases in which a sentence of death was imposed. When a sentence of death is imposed, there is an automatic appeal to the Court of Special Appeals of both the determination of guilt and the sentence. *See* Md. Rule 8-306.

Defined term: "Person" § 1-101

SUBTITLE 2. PROCEEDINGS AFTER DEATH SENTENCES.

7-201. FILING OF PETITION.

(A) 210-DAY FILING PERIOD.