

(1) FILING A PETITION FOR POSTCONVICTION RELIEF UNDER THIS TITLE; OR

(2) WITHDRAWING THE WAIVER IN WRITING.

(C) EFFECT OF WAIVER.

A WAIVER OF THE RIGHT TO FILE A PETITION UNDER THIS TITLE BEFORE THE EXPIRATION OF THE 210-DAY PERIOD ESTABLISHED IN § 7-201 OF THIS SUBTITLE ENDS THE STATE POSTCONVICTION REVIEW PROCESS FOR PURPOSES OF § 3-902 OF THE CORRECTIONAL SERVICES ARTICLE.

(D) EFFECT OF REVOCATION OF WAIVER.

(1) THE REVOCATION OF A WAIVER UNDER SUBSECTION (B)(1) OF THIS SECTION CONTINUES THE STATE POSTCONVICTION REVIEW PROCESS FOR PURPOSES OF § 3-902 OF THE CORRECTIONAL SERVICES ARTICLE.

(2) THE REVOCATION OF A WAIVER UNDER SUBSECTION (B)(2) OF THIS SECTION CONTINUES THE STATE POSTCONVICTION REVIEW PROCESS FOR PURPOSES OF § 3-902 OF THE CORRECTIONAL SERVICES ARTICLE UNTIL THE EARLIER OF:

(I) THE FILING OF A PETITION FOR POSTCONVICTION RELIEF; OR

(II) THE EXPIRATION OF THE 210-DAY PERIOD ESTABLISHED IN § 7-201 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 645A(a)(5).

In subsections (c) and (d)(1) and (2) of this section, the references to "§ 3-902 of the Correctional Services Article" are substituted for the former obsolete references to "§ 75 of this article" for clarity.

7-204. HEARING ON PETITION.

(A) DATE FOR HEARING.

(1) THE DATE FOR A HEARING ON A PETITION FILED IN A CASE IN WHICH A SENTENCE OF DEATH HAS BEEN IMPOSED SHALL:

(I) BE SET WITHIN 30 DAYS AFTER THE DAY ON WHICH THE PETITION IS FILED; AND

(II) OCCUR WITHIN 90 DAYS AFTER THE DAY THE PETITION IS FILED.

(2) AFTER THE HEARING DATE IS SET UNDER PARAGRAPH (1)(1) OF THIS SUBSECTION, THE COURT MAY NOT CHANGE THE DATE UNLESS A PARTY FILES A MOTION REQUESTING THE CHANGE AND SHOWS GOOD CAUSE FOR THE CHANGE.