

Defined term: "Sentencing judge" § 8-101

(D) SENTENCING JUDGE.

"SENTENCING JUDGE" MEANS THE JUDGE WHO IMPOSED A SENTENCE OR WHO REQUIRED THAT A SENTENCE THAT WAS WHOLLY OR PARTLY SUSPENDED BE SERVED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 645JF(3).

REVISOR'S NOTE TO SECTION:

Former Art. 27, § 645JF(1), which defined the term "trial judge" to mean "a judge of the circuit court of the county or of the judicial circuit of this State, in which the sentencing court is located, whether the judge was elected or appointed," is deleted as unnecessary, because the term "trial judge" is not used in this title. The term as defined does not alter the inherent, ordinary meaning of the term "circuit court judge", which is used in this title to conform to the terminology used throughout this article.

Former Art. 27, § 645JF(2), which defined the term "trial court" to mean "the circuit court for any county" is deleted as unnecessary because the term "trial court" is not used in this title. The term as defined does not add anything to the inherent, ordinary meaning of the term "circuit court", which is used in this title to conform to the terminology used throughout this article.

8-102. RIGHT TO SENTENCE REVIEW.

(A) PERSONS ENTITLED TO REVIEW.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PERSON CONVICTED OF A CRIME BY A CIRCUIT COURT AND SENTENCED TO SERVE A SENTENCE THAT EXCEEDS 2 YEARS IN A CORRECTIONAL FACILITY IS ENTITLED TO A SINGLE SENTENCE REVIEW BY A REVIEW PANEL.

(B) EXCEPTION.

A PERSON IS NOT ENTITLED:

(1) TO A SENTENCE REVIEW IF THE SENTENCE WAS IMPOSED BY MORE THAN ONE CIRCUIT COURT JUDGE; OR

(2) TO A REVIEW OF AN ORDER REQUIRING A SUSPENDED PART OF A SENTENCE TO BE SERVED IF:

(I) THE SENTENCE ORIGINALLY WAS WHOLLY OR PARTLY SUSPENDED;

(II) THE SENTENCE WAS REVIEWED; AND

(III) THE SUSPENDED SENTENCE OR SUSPENDED PART OF THAT SENTENCE LATER WAS REQUIRED TO BE SERVED.