

THE COURT MAY GRANT A PETITION FOR EXPUNGEMENT TO A PERSON WHEN THE PERSON BECOMES 21 YEARS OLD, IF A CHARGE TRANSFERRED UNDER § 4-202 OF THIS ARTICLE RESULTED IN:

(1) THE FILING OF A PETITION UNDER § 3-810 OF THE COURTS ARTICLE;
AND

(2) THE ADJUDICATION OF THE PERSON AS A DELINQUENT CHILD.

(C) MANDATORY GRANTS OF EXPUNGEMENT.

A COURT SHALL GRANT A PETITION FOR EXPUNGEMENT OF A CRIMINAL CHARGE THAT WAS TRANSFERRED TO THE JUVENILE COURT UNDER § 4-202 OF THIS ARTICLE, IF:

(1) THE CHARGE THAT WAS TRANSFERRED UNDER § 4-202 OF THIS ARTICLE DID NOT RESULT IN THE FILING OF A PETITION UNDER § 3-810 OF THE COURTS ARTICLE; OR

(2) THE CHARGE DID RESULT IN THE FILING OF A PETITION UNDER § 3-810 OF THE COURTS ARTICLE AND THE DECISION ON THE PETITION WAS THAT THERE WAS A FINDING OF FACTS-NOT-SUSTAINED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 737(b).

In the introductory language of this section, the former reference to the ability of a person to file a petition "at any time" after a certain date is deleted as unnecessary.

Defined terms: "Expungement" § 10-101
"Person" § 1-101

10-107. CHARGES ARISING FROM SAME INCIDENT, TRANSACTION, OR SET OF FACTS.

(A) MULTIPLE CHARGES AS UNIT.

(1) IN THIS SUBTITLE, IF TWO OR MORE CHARGES, OTHER THAN ONE FOR A MINOR TRAFFIC VIOLATION, ARISE FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS, THEY ARE CONSIDERED TO BE A UNIT.

(2) A CHARGE FOR A MINOR TRAFFIC VIOLATION THAT ARISES FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS AS A CHARGE IN THE UNIT IS NOT A PART OF THE UNIT.

(B) EFFECT ON RIGHT TO EXPUNGEMENT.

(1) IF A PERSON IS NOT ENTITLED TO EXPUNGEMENT OF ONE CHARGE IN A UNIT, THE PERSON IS NOT ENTITLED TO EXPUNGEMENT OF ANY OTHER CHARGE IN THE UNIT.