

“presidents of courts–martial and summary court officers” for brevity.

Also in the introductory language of this section, the reference to “presiding over a court–martial” is substituted for the former reference to “sit[ting] on a military court” for clarity.

In item (1) of this section, the reference to an “individual” is substituted for the former reference to “persons”. *See* General Revisor’s Note to title.

Also in item (1) of this section, the former reference to an order “in writing from the convening authority” is deleted as surplusage.

In item (2) of this section, the reference to a subpoena “to attend, give testimony, or produce documents or other tangible things” is substituted for the former reference to a subpoena and “subpoena duces tecum” to conform with current terminology regarding subpoenas. *See* Md. Rule 2–510.

In item (3) of this section, the reference “documents and other tangible things” is substituted for the former reference “books and papers” to conform with the court’s subpoena power in item (2) of this section.

The balance of the third paragraph of former Art. 65, § 44 is revised in § 13–801 of this subtitle.

13–805. SERVICE OF PROCESS; EXECUTION OF SENTENCE.

(A) DUTY OF INDIVIDUALS.

(1) ANY SHERIFF, DEPUTY SHERIFF, OR POLICE OFFICER, OR A MEMBER OF THE ORGANIZED MILITIA APPOINTED BY THE COURT–MARTIAL SHALL SERVE PROCESS AND EXECUTE A SENTENCE OF A COURT–MARTIAL OF THE STATE.

(2) THE INDIVIDUAL WHO SERVES PROCESS SHALL MAKE A RETURN OF SERVICE TO THE OFFICER WHO ISSUED SERVICE.

(B) COSTS.

(1) AN INDIVIDUAL MAY NOT CHARGE A FEE IN ADVANCE FOR SERVICE OF PROCESS OR EXECUTION OF A SENTENCE.

(2) COSTS OF SERVICE OF PROCESS OR EXECUTION OF A SENTENCE SHALL BE PAID FROM FUNDS APPROPRIATED TO THE DEPARTMENT.

(C) SERVICE OF A SUMMONS.

AN INDIVIDUAL AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION SHALL SERVE A SUMMONS TO APPEAR BEFORE A COURT–MARTIAL BY:

(1) DELIVERING A COPY OF THE SUMMONS TO THE OFFENDER;

(2) READING A COPY OF THE SUMMONS TO THE OFFENDER;

(3) LEAVING A COPY OF THE SUMMONS AT THE OFFENDER’S LAST KNOWN RESIDENCE OR PLACE OF BUSINESS; OR