

(4) If the court finds that the person is not entitled to expungement of the police record, the court shall deny the application.

(5) (i) The law enforcement unit is a party to the proceeding.

(ii) Each party to the proceeding is entitled to appellate review on the record, as provided in the Courts Article for appeals in civil cases from the District Court.

10-104.

(a) Unless the State objects and shows cause why a record should not be expunged, if the State enters a nolle prosequi as to all charges in a criminal case within the jurisdiction of the District Court with which a defendant has not been served, the District Court may order expungement of each court record, police record, or other record that the State or a political subdivision of the State keeps as to the charges.

(b) The District Court may not assess any costs against a defendant for a proceeding under subsection (a) of this section.

10-105.

(a) A person who has been charged with the commission of a crime, including a violation of the Transportation Article for which a term of imprisonment may be imposed, may file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if:

(1) the person is acquitted;

(2) the charge is otherwise dismissed;

(3) a probation before judgment is entered, unless the person is charged with a violation of § 21-902 of the Transportation Article or Article 27, § 388A or § 388B of the Code;

(4) a nolle prosequi is entered;

(5) the court indefinitely postpones trial of a criminal charge by marking the criminal charge "stet" on the docket;

(6) the case is compromised under Article 27, § 12A-5 of the Code;

(7) the charge was transferred to the juvenile court under § 4-202 of this article; or

(8) the person:

(i) is convicted of only one criminal act, and that act is not a crime of violence; and

(ii) is granted a full and unconditional pardon by the Governor.