

~~(2) No application or order shall be required if the interception is lawful under the provisions of § 10-402(c) of this subtitle.~~

10-408.

(a) (1) Each application for an order authorizing the interception of a wire, oral, or electronic communication shall be made in writing upon oath or affirmation to a judge of competent jurisdiction and shall state the applicant's authority to make the application. Each application shall include the following information:

[(1)](I) The identity of the investigative or law enforcement officer making the application, and the officer authorizing the application;

[(2)](II) A full and complete statement of the facts and circumstances relied upon by the applicant, to justify his belief that an order should be issued, including:

[(i)] 1. [details] DETAILS as to the particular offense that has been, is being, or is about to be committed[, (ii)];

2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, a particular description of the nature and location of the facilities from which or the place where the communication is to be intercepted[, (iii)];

3. [a] A particular description of the type of communications sought to be intercepted[, (iv)]; AND

4. [the] THE identity of the person, if known, committing the offense and whose communications are to be intercepted[;].

[(3)](III) A full and complete statement as to whether or not other investigative procedures have been tried and failed or why they reasonably appear to be unlikely to succeed if tried or to be too dangerous;

[(4)](IV) A statement of the period of time for which the interception is required to be maintained. If the nature of the investigation is such that the authorization for interception should not automatically terminate when the described type of communication has been first obtained, a particular description of facts establishing probable cause to believe additional communications of the same type will occur thereafter;

[(5)](V) A full and complete statement of the facts concerning all previous applications known to the individual authorizing and making the application, made to any judge for authorization to intercept wire, oral, or electronic communications involving any of the same persons, facilities or places specified in the application, and the action taken by the judge on each application; and

[(6)](VI) Where the application is for the extension of an order, a statement setting forth the results thus far obtained from the interception, or a reasonable explanation of the failure to obtain the results.