

~~(1) SEARCH DILIGENTLY FOR AND EXPUNGE EACH POLICE RECORD ABOUT THE ARREST, DETENTION, OR CONFINEMENT OF THE PERSON, AND~~

~~(2) ADVISE IN WRITING THE PERSON ENTITLED TO EXPUNGEMENT OF COMPLIANCE WITH THE ORDER.~~

~~(D) (1) IF A LAW ENFORCEMENT UNIT, BOOKING FACILITY, OR THE CENTRAL REPOSITORY FAILS TO EXPUNGE A POLICE RECORD AS REQUIRED UNDER SUBSECTION (B) OR (C) OF THIS SECTION, THE PERSON MAY APPLY FOR AN ORDER OF EXPUNGEMENT IN THE DISTRICT COURT THAT HAS PROPER VENUE AGAINST THE LAW ENFORCEMENT UNIT OR OTHER RESPONDENT.~~

~~(2) AFTER NOTICE TO THE RESPONDENT, THE COURT SHALL HOLD A HEARING.~~

~~(3) IF THE COURT FINDS THAT THE PERSON IS ENTITLED TO EXPUNGEMENT, THE COURT SHALL ORDER THE RESPONDENT TO EXPUNGE THE POLICE RECORD.~~

~~(4) IF THE COURT FINDS THAT THE PERSON IS NOT ENTITLED TO EXPUNGEMENT OF THE POLICE RECORD, THE COURT SHALL DENY THE APPLICATION.~~

~~10-104.~~

~~[(a) Unless] FOR CHARGES FILED BEFORE OCTOBER 1, 2004, 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] FOR CHARGES FILED BEFORE OCTOBER 1, 2004, 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 § 21-002 of the Transportation Article or Title 2, Subtitle 5 or § 2-211 of the Criminal Law Article;~~

~~(4) a nolle prosequi is entered;~~