

~~(2) Unless the State's Attorney files an objection to the petition for expungement within 30 days after the petition is served, the court shall pass an order requiring the expungement of all police records and court records about the charge.~~

~~(e) (1) If the State's Attorney files a timely objection to the petition, the court shall hold a hearing.~~

~~(2) If the court at the hearing finds that the person is entitled to expungement, the court shall order the expungement of all police records and court records about the charge.~~

~~(3) If the court finds that the person is not entitled to expungement, the court shall deny the petition.~~

~~(4) The person is not entitled to expungement if:~~

~~(i) the petition is based on the entry of probation before judgment, a nolle prosequi, or a stet, or the grant of a pardon by the Governor; and~~

~~(ii) the person:~~

~~1. since the full and unconditional pardon or entry, has been convicted of a crime other than a minor traffic violation; or~~

~~2. is a defendant in a pending criminal proceeding.~~

~~(f) Unless an order is stayed pending an appeal, within 60 days after entry of the order, every custodian of the police records and court records that are subject to the order of expungement shall advise in writing the court and the person who is seeking expungement of compliance with the order.~~

~~(g) (1) The State's Attorney is a party to the proceeding.~~

~~(2) A party aggrieved by the decision of the court is entitled to appellate review as provided in the Courts Article.~~

~~10-105.1.~~

~~(A) FOR CHARGES FILED ON OR AFTER 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, IS ENTITLED TO 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 TITLE 2, SUBTITLE 5 OR § 3-211 OF THE CRIMINAL LAW ARTICLE;~~

~~(4) A NOLLE PROSEQUI IS ENTERED;~~