

THIS SUBTITLE, THE DIVISION OF PAROLE AND PROBATION SHALL NOTIFY THE COURT THAT ISSUED THE ORDER AND THE OFFICE OF THE STATE'S ATTORNEY IN THAT JURISDICTION.

(2) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR RULE TO THE CONTRARY, UNLESS THE STATE'S ATTORNEY FILES AN OBJECTION WITHIN 30 DAYS AFTER RECEIPT OF THE NOTICE, THE COURT MAY ENTER AN ORDER STRIKING THE ENTRY OF JUDGMENT AND DEFERRING FURTHER PROCEEDINGS IN ACCORDANCE WITH § 6-220 OF THIS SUBTITLE.

(3) IF THE STATE'S ATTORNEY FILES A TIMELY OBJECTION, THE COURT SHALL HOLD A HEARING AND MAY, UNLESS GOOD CAUSE IS FOUND TO THE CONTRARY, ENTER THE ORDER.

(C) ANY PROBATION BEFORE JUDGMENT ENTERED IN ACCORDANCE WITH THIS SECTION SHALL BE SUPERVISED BY THE DIVISION OF PAROLE AND PROBATION FOR THE TERM AND UNDER THE CONDITIONS THAT THE COURT CONSIDERS APPROPRIATE.

~~(D) NOTWITHSTANDING SUBSECTIONS (A) AND (B) OF THIS SECTION, A COURT MAY NOT STAY THE ENTERING OF JUDGMENT AND PLACE A DEFENDANT ON PROBATION FOR A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE IF WITHIN THE PRECEDING 10 YEARS THE DEFENDANT:~~

~~(1) HAS BEEN CONVICTED UNDER § 21-902 OF THE TRANSPORTATION ARTICLE; OR~~

~~(2) HAS BEEN PLACED ON PROBATION IN ACCORDANCE WITH THIS SECTION AFTER BEING CHARGED WITH A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE.~~

(D) UNDER THIS SECTION, A COURT MAY NOT STRIKE THE ENTRY OF JUDGMENT AND DEFER FURTHER PROCEEDINGS IN ACCORDANCE WITH § 6-220 OF THIS SUBTITLE OR STAY THE ENTERING OF A JUDGMENT AND PLACE A DEFENDANT ON PROBATION FOR A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE IF, WITHIN THE PRECEDING 5 YEARS, THE DEFENDANT:

(1) HAS BEEN CONVICTED UNDER § 21-902 OF THE TRANSPORTATION ARTICLE; OR

(2) HAS BEEN PLACED ON PROBATION IN ACCORDANCE WITH § 6-220 OF THIS SUBTITLE, AFTER BEING CHARGED WITH A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE.

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BEFORE THE REVOCATION OF ANY PROBATION ORDERED UNDER THIS TITLE, AND IN ADDITION TO ANY OTHER FACTORS THE COURT CONSIDERS IN CONNECTION WITH THE DETERMINATION OF AN APPROPRIATE SENTENCE, THE COURT SHALL: