

CHAPTER 240

(House Bill 988)

AN ACT concerning

Courts – Appeal From Order Revoking Probation

FOR the purpose of prohibiting an appeal as of right from an order of a circuit court revoking probation and requiring instead the filing of an application for leave to appeal.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 12-301
Annotated Code of Maryland
(1989 Replacement Volume and 1990 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 12-302(g)
Annotated Code of Maryland
(1989 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

12-301.

Except as provided in § 12-302 of this subtitle, a party may appeal from a final judgment entered in a civil or criminal case by a circuit court. The right of appeal exists from a final judgment entered by a court in the exercise of original, special, limited, statutory jurisdiction, unless in a particular case the right of appeal is expressly denied by law. In a criminal case, the defendant may appeal even though imposition or execution of sentence has been suspended. In a civil case, a plaintiff who has accepted a remittitur may cross-appeal from the final judgment.

12-302.

(G) SECTION 12-301 OF THIS SUBTITLE DOES NOT PERMIT AN APPEAL FROM AN ORDER OF A CIRCUIT COURT REVOKING PROBATION. REVIEW OF AN ORDER OF A CIRCUIT COURT REVOKING PROBATION SHALL BE SOUGHT BY APPLICATION FOR LEAVE TO APPEAL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.