

Article - Criminal Procedure

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§6–224.

(a) This section applies to a defendant who is convicted of a crime for which the court:

- (1) does not impose a sentence;
- (2) suspends the sentence generally;
- (3) places the defendant on probation for a definite time; or
- (4) passes another order and imposes other conditions of probation.

(b) If a defendant is brought before a circuit court to be sentenced on the original charge or for violating a condition of probation, and the judge then presiding finds that the defendant violated a condition of probation, the judge:

- (1) may sentence the defendant to:
 - (i) all or any part of the period of imprisonment imposed in the original sentence; or
 - (ii) any sentence allowed by law, if a sentence was not imposed before; and
- (2) may suspend all or part of a sentence and place the defendant on further probation on any conditions that the judge considers proper, and that do not exceed the maximum set under § 6-222 of this subtitle.

(c) (1) The District Court judge who originally imposed conditions of probation or suspension of sentence shall hear any charge of violation of the conditions of probation or suspension of sentence.

(2) Except as provided in paragraph (3) of this subsection, the judge shall sentence the defendant if probation is revoked or suspension stricken.

(3) If the judge has been removed from office, has died or resigned, or is otherwise incapacitated, any other judge of the District Court may act in the matter.

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