

(B) MOTION AFTER ALL EVIDENCE.

(1) THE DEFENDANT MAY MOVE FOR JUDGMENT OF ACQUITTAL AT THE CLOSE OF ALL THE EVIDENCE WHETHER OR NOT A MOTION FOR JUDGMENT OF ACQUITTAL WAS MADE AT THE CLOSE OF THE EVIDENCE FOR THE STATE.

(2) IF THE COURT DENIES THE MOTION FOR JUDGMENT OF ACQUITTAL, THE DEFENDANT MAY HAVE REVIEW OF THE RULING ON APPEAL.

REVISOR'S NOTE: This section is new language derived without substantive change from the second, third, and fourth sentences and the second clause of the first sentence of former Art. 27, § 593.

In subsection (a)(1) of this section, the reference to a "crime" is substituted for the former reference to an "offense" to avoid any ambiguity that "offense" could apply to an offense other than an offense that results in a criminal conviction and to conform to terminology used in the Correctional Services Article. *See, e.g., CS § 4-306(c)(1)(iii).*

Also in subsection (a)(1) of this section, the reference to the "defendant" is substituted for the former reference to the "accused" for clarity and consistency within this section. Similarly, in subsection (a)(2) and (3) of this section, the references to the "defendant" and the "defendant's" are substituted for the former references to "he" and "his".

In subsections (a)(2) and (b)(2) of this section, the references to the "court den[ying]" the motion for judgment of acquittal are added to clarify that it is the court who denies the motion.

In subsection (a)(2) of this section, the phrase "[s]ubject to paragraph (3) of this subsection" is added for clarity.

In subsection (b)(1) of this section, the reference to the "defendant" is added to clarify that it is the defendant making the motion.

6-105. MOTION FOR NEW TRIAL.**(A) TIMING OF HEARING ON MOTION.**

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A COURT IN WHICH A MOTION FOR A NEW TRIAL IN A CRIMINAL CASE IS PENDING SHALL HEAR THE MOTION:

(1) WITHIN 10 DAYS AFTER THE MOTION IS FILED; OR

(2) IF AN AGREED STATEMENT OF THE EVIDENCE OR A STATEMENT OF THE EVIDENCE CERTIFIED BY THE TRIAL JUDGE IS FILED, WITHIN 10 DAYS AFTER THE STATEMENT IS FILED.

(B) EXTENSION OF TIME FOR HEARING.

THE TIME FOR THE HEARING OF A MOTION FOR A NEW TRIAL MAY BE EXTENDED BY: