

tions with regard to any such application for review. The panel shall consider each application for review and shall have the power, with or without holding a hearing, to order a different sentence to be imposed or served, including, by way of illustration and not by way of limitation, an increased or decreased sentence, or a suspended sentence to be served in whole or in part, or a sentence to be suspended with or without probation, upon such terms and conditions as the panel may deem just and which could lawfully have been imposed by the sentencing court at the time of the imposition of the sentence under review, or the panel may decide that the sentence under review should stand unchanged; except that the panel, without holding a hearing, shall not increase any sentence, or order any suspended sentence or any suspended part of a sentence to be served, or order the reduction of a death sentence to a sentence for life or term of years; and except further that no sentence for life or term of years may be increased to death by the panel with or without holding a hearing. The decision of the panel in each review shall be rendered by a majority of the members of the panel. If the panel orders any different sentence, the panel shall resentence and notify the convicted person in accordance with the order of the panel. Time served on any sentence under review shall be deemed to have been served on the sentence substituted.

133.

*The filing of an application for review under this subtitle shall not stay the execution of the sentence, but after the application is filed, the sentencing judge may grant such a stay pending a decision under this subtitle. The filing of an application for review of a sentence shall not in any way affect the time allowed for filing an appeal on the merits of the case or a motion for a new trial, or affect the power of the trial judge to change the sentence to the extent permitted by the rules of the Court of Appeals in force and effect from time to time.*

134.

*Any person who has the right to file an application for review under this subtitle shall have the right to be represented by counsel retained by him, or appointed by the sentencing judge, in connection with determining whether to seek such review and in connection with filing application for such review. If the panel holds a hearing in connection with any review of a sentence pursuant to this subtitle, the defendant shall be entitled to appear in person at the hearing and to be represented by counsel retained by him, or previously appointed by the sentencing judge, or appointed by one or more members of the panel. The state's attorney or assistant state's attorney who prosecuted the case shall also be entitled to appear at the hearing.*

135.

*For purposes of this subtitle, (1) the term "trial judge" means a judge of the circuit court of the county or of the Supreme Bench of Baltimore City, or of the judicial circuit of this State, in which the sentencing court is located, whether the judge was elected or appointed; (2) the term "trial court" means the circuit court for*