Court of Appeals
Fourth Court of Appeals District of Texas
San Antonio

MEMORANDUM OPINION

No. 04-11-00386-CR

IN RE Marty **FLORES**

Original Mandamus Proceeding[1]

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Sandee Bryan Marion, Justice
Rebecca Simmons, Justice

Delivered and Filed: June 29, 2011

PETITION FOR WRIT OF MANDAMUS DENIED

On June 2, 2011, relator filed a petition for writ of mandamus, complaining of the trial court's failure to rule on his various *pro se* motions. However, counsel has been appointed to represent relator in the criminal proceeding pending in the trial court for which he is currently confined. A criminal defendant is not entitled to hybrid representation. *See Robinson v. State*, 240 S.W.3d 919, 922 (Tex. Crim. App. 2007); *Patrick v. State*, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995). A trial court has no legal duty to rule on *pro se* motions or petitions filed with regard to a criminal proceeding in which the defendant is represented by counsel. *See Robinson*, 240 S.W.3d at 922. Consequently, the trial court did not abuse its discretion by declining to rule

[1] This proceeding arises out of Cause No. 2011-CR-2855, styled *State of Texas v. Marty Flores*, pending in the 379th Judicial District Court, Bexar County, Texas, the Honorable Ron Rangel presiding.

on relator's *pro se* motions filed in the criminal proceeding pending in the trial court. Accordingly, the petition for writ of mandamus is denied. TEX. R. APP. P. 52.8(a).

PER CURIAM

DO NOT PUBLISH