

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



MEMORANDUM OPINION

No. 04-08-00425-CR

IN RE Jessica M. BARBOSA

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Catherine Stone, Justice
Phylis J. Speedlin, Justice
Rebecca Simmons, Justice

Delivered and Filed: July 23, 2008

PETITION FOR WRIT OF MANDAMUS DENIED

In a pro se original petition filed in this court, relator Jessica M. Barbosa requests a writ of mandamus directing an immediate trial in the underlying criminal case. Alternatively, relator requests release from the Bexar County jail. Relator is represented by trial counsel. We conclude trial counsel is also relator's counsel for an original proceeding on the issues presented. Relator is not entitled to hybrid representation. *See Patrick v. State*, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995). The absence of a right to hybrid representation means relator's pro se petition will be treated as presenting nothing for this court's review. *See id.*; *see also Gray v. Shipley*, 877 S.W.2d 806, 806 (Tex. App.—Houston [1st Dist.] 1994, orig. proceeding). Accordingly, relator's petition is denied.

PER OCURIAM

DO NOT PUBLISH

¹ This proceeding arises out of Cause No. 2007-CR-6397, styled *State of Texas v. Jessica M. Barbosa*, pending in the 290th Judicial District Court, Bexar County, the Honorable Sharon MacRae presiding.

