

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



MEMORANDUM OPINION

No. 04-08-00466-CR

IN RE Lawrence BURLESON

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Alma L. López, Chief Justice
Catherine Stone, Justice
Steven C. Hilbig, Justice

Delivered and Filed: July 23, 2008

PETITION FOR WRIT OF MANDAMUS DENIED

Relator Lawrence Burleson has filed a pro se petition for a writ of mandamus seeking to compel the trial court to “acknowledge and grant his motion for speedy trial and set his trial date.” Counsel has been appointed to represent Burleson in the trial court causes. We conclude Burleson’s appointed counsel is also counsel for an original proceeding on the issue presented. Burleson is not entitled to hybrid representation. *See Patrick v. State*, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995); *Gray v. Shipley*, 877 S.W.2d 806, 806 (Tex. App.—Houston [1st Dist.] 1994, orig. proceeding). Accordingly, the pro se petition for a writ of mandamus is denied. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM

DO NOT PUBLISH

¹This proceeding arises out of Cause Nos. 2007-CR-8880 and 2007-CR-7473A, styled *The State of Texas v. Lawrence Burleson*, pending in the 227th Judicial District Court, Bexar County, Texas, the Honorable Philip A. Kazen, Jr., presiding.