



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-13-00527-CR

**IN RE** Dewayne **HARDAWAY**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Karen Angelini, Justice  
Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: August 21, 2013

PETITION FOR WRIT OF MANDAMUS DENIED

On August 5, 2013, relator filed a petition for writ of mandamus complaining of the trial court's failure to rule on pending motions in his criminal proceeding. Counsel has been appointed to represent relator in the trial court. We conclude that appointed counsel for relator is also his counsel with respect to the issues presented in this original proceeding. *See Gray v. Shipley*, 877 S.W.2d 806, 806 (Tex. App.—Houston [1st Dist.] 1994, orig. proceeding).

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 for writ of mandamus will be treated as presenting nothing for this court's consideration.

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<sup>1</sup> This proceeding arises out of Cause No. NM188359, styled *The State of Texas v. Dewayne Hardaway*, pending in the 175th Judicial District Court, Bexar County, Texas, the Honorable Mary D. Roman presiding.

*See id.* The court is of the opinion that relator is not entitled to the relief sought and the petition for writ of mandamus is accordingly denied. TEX. R. APP. P. 52.8 (a).

PER CURIAM

DO NOT PUBLISH