



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

**MEMORANDUM OPINION**

No. 04-13-00544-CR

**IN RE Shawn BEAN**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Sandee Bryan Marion, Justice  
Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: August 21, 2013

PETITION FOR WRIT OF MANDAMUS DENIED

On August 12, 2013, relator Shawn Bean filed a petition for writ of mandamus complaining of the trial court's failure to rule on various pro se motions pending in his criminal proceeding. However, counsel has been appointed to represent relator in the criminal proceeding 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

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<sup>1</sup> This proceeding arises out of Cause No. 188088, styled *The State of Texas v. Shawn Bean*, pending in the 437th Judicial District Court, Bexar County, Texas, the Honorable Lori I. Valenzuela presiding.

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

PER CURIAM

DO NOT PUBLISH