



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. PD-0307-14

BOBBY FITZGERALD LEWIS, Appellant

v.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE SECOND COURT OF APPEALS
WICHITA COUNTY**

PER CURIAM. MEYERS, J. did not participate.

OPINION

We granted the appellant's petition for discretionary review to determine if Article 1.051(h) requires a trial judge to appoint counsel at any time a pro se defendant withdraws a waiver of the right to counsel.¹ Having examined the record and briefs, we conclude that our decision to grant review was improvident. We therefore dismiss appellant's petition for discretionary review as improvidently granted.

Delivered: April 15, 2015
Do not publish

¹See *Lewis v. State*, No. 02-12-00246-CR, 2014 Tex. App. LEXIS 1405 (Tex. App.—Fort Worth Feb. 6, 2014) (not designated for publication).