

Opinion issued February 23, 2012.



In The
Court of Appeals
For The
First District of Texas

NO. 01-12-00021-CR

IN RE LARRY ADAMS, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Larry Adams, has filed a pro se petition for writ of mandamus. Relator seeks the writ of mandamus to compel the trial court to rule on his motion to withdraw his attorney and allow him to represent himself on appeal.¹

¹ The underlying cases are Nos. 09CR3830, 09CR3831, and 09CR3832, in the 10th District Court of Galveston County, Texas. The respondent is the Honorable David E. Garner.

Approximately one month before Adams filed his petition, his appointed counsel, James Bennett, filed an appellant's brief.

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); *see also Ex parte Taylor*, 36 S.W.3d 883, 887 (Tex. Crim. App. 2001) ("Appellants are not allowed to have 'hybrid representation' on appeal, in which an appellant and an attorney can present independent points to an appellate court."). Accordingly, the petition for writ of mandamus is denied. TEX. R. APP. P. 52.8(a); *see In re Kuhn*, No. 03-11-00570-CV, 2011 WL 5138716, at *2 (Tex. App.—Austin Oct. 28, 2011, orig. proceeding) (mem. op., not designated for publication) (denying relator's petition for writ of mandamus seeking to compel trial court to remove appointed counsel and allow relator to pursue appeal pro se, when relator's counsel had already filed appellant's brief).

We order Adams's appointed counsel, James Bennett, to send Adams a copy of the appellant's brief filed on his behalf, if he has not already done so, and to inform the clerk of this court by letter that this has been done.

PER CURIAM

Panel consists of Justices Jennings, Bland, and Huddle.

Do not publish. TEX. R. APP. P. 47.2(b).