

**Petition for Writ of Mandamus Denied and Opinion filed November 22, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-16-00928-CR**

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**IN RE LESLIE RAY FOSTER, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
10th District Court  
Galveston County, Texas  
Trial Court Cause No. 16-CR-1600**

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**MEMORANDUM OPINION**

On November 15, 2016, relator Leslie Ray Foster filed a pro se petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (West 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Honorable Kerry Neves, presiding judge of the 10th District Court of Galveston County to: (1) rule on his pro se "Application for Writ Of Habeas Corpus Seeking

Personal Bond Under Article 17.151 of the Texas Code of Criminal Procedure or a Bond Reduction”, dated September 11, 2016 (the Habeas Application), and (2) grant any other relief deemed just.

Relator indicates in his petition that he was arrested for the offense of organized criminal activity and that an attorney has been appointed to represent him. A criminal defendant is not entitled to hybrid representation. *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). The absence of a right to hybrid representation means that a relator’s pro se mandamus petition should be treated as presenting nothing for this court’s review. *See Gray v. Shipley*, 877 S.W.2d 806 (Tex. App.—Houston [1st Dist.] 1994, orig. proceeding); *In re Bogus*, 14-16-00129-CR, 2016 WL 1165807, at \*1 (Tex. App.—Houston [14th Dist.] Mar. 24, 2016, orig. proceeding) (per curiam) (mem. op.) (denying pro se petition for writ of mandamus because relator is represented by counsel). Because relator is represented by counsel, his pro se petition presents nothing for review.

We therefore deny relator’s petition for writ of mandamus.

PER CURIAM

Panel consists of Justices Christopher, Jamison, and Donovan.  
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