

**Petition for Writ of Mandamus Denied and Memorandum Opinion filed  
December 13, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-16-00939-CV**

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**IN RE ZAHIR QUERISHI, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
315th District Court  
Harris County, Texas  
Trial Court Cause No. 86707**

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**MEMORANDUM OPINION**

On November 18, relator Zahir Querishi filed a 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

Michael Schneider, presiding judge of the 315th District Court of Harris County, to rule on his *pro se* “Amended Writ of Habeas Corpus.”

A criminal defendant is not entitled to hybrid representation in the same cause and a trial court is free to disregard any *pro se* motions presented by a defendant who is represented by counsel. *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). As a result, “a trial court’s decision not to rule on a *pro se* motion” is not “subject to review.” *Robinson*, 240 S.W.3d at 922. The absence of a right to hybrid representation also 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, 806 (Tex. App.—Houston [1st Dist.] 1994, orig. proceeding); *In re Harrison*, 14-15-00370-CV, 2015 WL 5935816, at \*2 (Tex. App.—Houston [14th Dist.] Oct. 13, 2015, orig. proceeding).

The Amended Writ of Habeas Corpus is included in the Appendix and has a stamp indicating that it was filed on February 27, 2015. Relator was represented by counsel Richard Wetzels when he allegedly filed and requested a ruling on his Amended Writ of Habeas Corpus. *See In re Querishi*, 14-15-01100-CV, 2016 WL 546019, at \*1 (Tex. App.—Houston [14th Dist.] Feb. 9, 2016, orig. proceeding) and *In re Texas Bd. of Pardons & Paroles*, 495 S.W.3d 554 (Tex. App.—Houston [14th Dist.] 2016, orig. proceeding). Because relator was represented by counsel when he allegedly filed and requested a ruling on his Amended Writ of Habeas Corpus, the trial court was free to disregard that filing and had no duty to rule.

Accordingly, we deny relator's petition for writ of mandamus.

PER CURIAM

Panel consists of Justices Boyce, Busby, and Wise.