

Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-09-00501-CR

IN RE Justin BOSQUEZ

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Santee Bryan Marion, Justice
Steven C. Hilbig, Justice

Delivered and Filed: September 23, 2009

PETITION FOR WRIT OF MANDAMUS DENIED AS MOOT

On August 14, 2009, relator Justin Bosquez filed a petition for writ of mandamus, complaining of the trial court's failure to rule on his *pro se* motion invoking his sixth amendment right to self representation and to dismiss his current counsel. However, on August 28, 2009, the trial court conducted a hearing regarding relator's request for self representation. During the hearing, relator orally withdrew his motion for self representation and accepted the withdrawal of his former court appointed attorney and the appointment of a new court appointed attorney. Therefore, we DENY relator's petition for writ of mandamus as MOOT. *See* TEX. R. APP. P. 52.8(a).

¹ This proceeding arises out of Cause No. 2009-CR-8136, styled *State of Texas v. Justin Bosquez*, in the 379th Judicial District Court, Bexar County, Texas, the Honorable Ron Rangel presiding.

Additionally, relator filed an Application for Leave to File Petition for Writ of Mandamus. No leave is required to file a petition for a writ of mandamus in this court. TEX. R. APP. P. 52. Therefore, relator's motion for leave to file is DENIED as moot.

PER CURIAM

DO NOT PUBLISH