

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



MEMORANDUM OPINION

No. 04-10-00468-CR

IN RE Christopher COOK

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Phylis J. Speedlin, Justice
Marialyn Barnard, Justice

Delivered and Filed: July 7, 2010

PETITION FOR WRIT OF MANDAMUS DENIED

On June 23, 2010, relator Christopher Cook filed a petition for writ of mandamus, seeking to compel the trial court to rule on his *pro se* motion for speedy trial, motions for discovery, motion for reduction of bond, motion requesting examining trial, and motion to suppress evidence.

However, counsel has been appointed to represent relator in the criminal proceeding pending in the trial court for which he is currently confined.² 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.*

¹ [▲](#) This proceeding arises out of Cause No. 2010-CR-5325, styled *State of Texas v. Christopher Cook*, in the 227th Judicial District Court, Bexar County, Texas, the Honorable Philip Kazen presiding.

² [▲](#) Attorney Jeanne Bloomster is appointed to represent relator in the criminal proceeding pending in the trial court.

State, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995). A trial court has no legal duty to rule on a *pro se* motion filed with regard to a criminal proceeding in which the defendant is represented by counsel. *See Robinson*, 240 S.W.3d at 922. Consequently, the trial court did not abuse its discretion by declining to rule on relator's *pro se* motions that relate directly to his confinement based on the criminal proceeding pending in the trial court. Accordingly, relator's petition for writ of mandamus is denied. TEX. R. APP. P. 52.8(a).

PER CURIAM

DO NOT PUBLISH