

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



**MEMORANDUM OPINION**

No. 04-10-00612-CR

**IN RE Terrance FLETCHER**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Karen Angelini, Justice  
Phylis J. Speedlin, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: September 8, 2010

PETITION FOR WRIT OF MANDAMUS DENIED

On August 24, 2010, relator Terrance Fletcher filed a petition for writ of mandamus, complaining of the trial court's failure to grant his *pro se* motions for speedy trial. However, counsel has been retained by relator to represent him in the criminal proceeding pending in the trial court for which he is currently confined. 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). A trial court has no legal duty to rule on *pro se* motions or petitions 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

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<sup>1</sup> This proceeding arises out of Cause No. 2010-CR-1384, styled *State of Texas v. Terrance Fletcher*, pending in the 227th Judicial District Court, Bexar County, Texas, the Honorable Philip Kazen presiding.

to rule on relator's *pro se* motion filed in the criminal proceeding pending in the trial court.

Accordingly, the petition is denied. TEX. R. APP. P. 52.8(a).

PER CURIAM

DO NOT PUBLISH