

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



**MEMORANDUM OPINION**

No. 04-12-00381-CR

**IN RE Vicente REYES**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Phylis J. Speedlin, Justice  
Rebecca Simmons, Justice  
Marialyn Barnard, Justice

Delivered and Filed: July 11, 2012

PETITION FOR WRIT OF MANDAMUS DENIED

On June 22, 2012, Relator Vicente Reyes filed a petition for writ of mandamus, complaining of the trial court's failure to rule on a *pro se* Judicial Notice request. However, counsel has been appointed to represent Relator 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 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* request filed in the criminal proceeding

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<sup>1</sup> This proceeding arises out of Cause No. 2006CR6988, styled *State of Texas v. Vicente Reyes, Jr.*, pending in the 290th Judicial District Court, Bexar County, Texas, the Honorable Melisa Skinner presiding.

pending in the trial court. Accordingly, the petition for writ of mandamus is denied. TEX. R. APP. P. 52.8(a).

PER CURIAM

DO NOT PUBLISH