



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-13-00489-CR

IN RE Kevin ROGERS

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Marialyn Barnard, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: August 7, 2013

PETITION FOR WRIT OF MANDAMUS DENIED

Relator Kevin Rogers filed this *pro se* petition for writ of mandamus on July 22, 2013, complaining of the trial court's failure to rule on various motions pending in his criminal case. Relator has been appointed trial counsel to represent him in connection with the criminal charges pending against him. We conclude that any original proceeding on the issue presented should be presented by relator's trial counsel. Relator is not entitled to hybrid representation. *See Patrick v. State*, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995). The absence of a right to hybrid representation means relator's *pro se* mandamus petition will be treated as presenting nothing for this court's review. *See id.*; *see also Gray v. Shipley*, 877 S.W.2d 806, 806 (Tex. App.—Houston [1st Dist.]

¹ This proceeding arises out of Cause No. 420360, styled *The State of Texas v. Kevin Rogers*, pending in the County Court at Law No. 13, Bexar County, Texas, the Honorable Monica A. Gonzalez presiding.

1994, orig. proceeding). Accordingly, relator's petition for writ of mandamus is denied. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM

DO NOT PUBLISH