



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

**MEMORANDUM OPINION**

No. 04-14-00749-CR

**IN RE Steven Mitchell GARY**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Karen Angelini, Justice  
Santee Bryan Marion, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: November 5, 2014

PETITION FOR WRIT OF MANDAMUS DENIED

Relator Steven Mitchell Gary filed this pro se petition for writ of mandamus on October 27, 2014, complaining of the trial court's failure to rule on pending motions in the underlying criminal proceeding. 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 raised 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

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<sup>1</sup> This proceeding arises out of Cause No. 2014CR2945, styled *The State of Texas v. Steven Mitchell Gary*, pending in the 175th Judicial District Court, Bexar County, Texas, the Honorable Mary D. Roman presiding.

[1st Dist.] 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DO NOT PUBLISH