



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-15-00370-CR

IN RE Matthew Jamal **JACKSON**

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Marialyn Barnard, Justice
Rebeca C. Martinez, Justice

Delivered and Filed: July 8, 2015

PETITION FOR WRIT OF MANDAMUS DENIED

On June 18, 2015, relator Matthew Jamal Jackson filed a pro se petition for writ of mandamus complaining of the trial court's failure to rule on various pro se motions Jackson asserts he has mailed to the court in the underlying criminal proceeding. However, trial counsel has been appointed to represent Jackson with respect to the pending criminal charges 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) (en banc). A trial court has no legal duty to rule on pro se motions or petitions filed in a criminal proceeding in which the defendant is represented by counsel. *See Robinson*, 240 S.W.3d at 922. Consequently, to the extent that the trial court has failed or refused to rule on any

¹ This proceeding arises out of Cause No. 2014CR0148, styled *The State of Texas v. Matthew Jamal Jackson*, pending in the 379th Judicial District Court, Bexar County, Texas, the Honorable Ronald Rangel presiding.

pro se motions filed in the underlying proceeding, such conduct does not constitute an abuse of the trial court's discretion. *Id.* Accordingly, the petition for writ of mandamus is denied. TEX. R. APP. P. 52.8(a).

Additionally, relator filed an application for leave to file his petition for writ of mandamus. No leave is required to file a petition for writ of mandamus in this court. TEX. R. APP. P. 52. Therefore, relator's motion for leave to file is denied as moot.

PER CURIAM

DO NOT PUBLISH