



## Fourth Court of Appeals San Antonio, Texas

### MEMORANDUM OPINION

No. 04-19-00108-CR

**IN RE John Michael POPE**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting:      Rebeca C. Martinez, Justice  
                 Irene Rios, Justice  
                 Liza A. Rodriguez, Justice

Delivered and Filed: March 6, 2019

### PETITION FOR WRIT OF MANDAMUS DENIED

Relator filed a pro se “Writ of Mandamus Compelling District Court to Act on Filed Motions and Set for Trial,” in which he complains the trial court has failed to rule on his pro se motions, including a motion for speedy trial. Relator is represented by trial counsel below; therefore, he is not entitled to hybrid representation. *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.] 1994, orig. proceeding). Accordingly, relator’s pro se petition for writ of mandamus is denied. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM

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<sup>1</sup> This proceeding arises out of Cause No. 2018CR12867, styled *The State of Texas v. John Michael Pope, Jr.*, pending in the 437th Judicial District Court, Bexar County, Texas, the Honorable Lori I. Valenzuela presiding.