



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-19-00459-CR

IN RE Johny Louise **BARRIOS**

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice
Liza A. Rodriguez, Justice

Delivered and Filed: July 24, 2019

PETITION FOR WRIT OF MANDAMUS DENIED

Relator filed a pro se petition for writ of mandamus, in which he complains the trial court has failed to rule on certain pending pro se motions and he asks this court to direct “the State to file [a] motion to dismiss [for] insufficient evidence.” 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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¹ This proceeding arises out of Cause No. 2018CR13171, styled *The State of Texas v. Johny Louise Barrios*, pending in the 186th Judicial District Court, Bexar County, Texas, the Honorable Jefferson Moore presiding.