

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-15-00358-CR

IN RE JOSEPH K. COLONE JR.

Original Proceeding
252nd District Court of Jefferson County, Texas
Trial Cause Nos. 10-9680, 10-9681, 10-10213

MEMORANDUM OPINION

Relator Joseph K. Colone Jr. filed a *pro se* petition for writ of mandamus, in which he alleges that he has been confined awaiting trial for approximately five years, and that after he filed a petition for writ of habeas corpus in each case, the trial court refused to issue the writs. In his prayer, Colone asks this Court to compel the trial judge to issue a writ of habeas corpus as to all three cases. In response, the State points out that Colone is represented by counsel in each case, and, therefore, the trial court was not obligated to rule on Colone's *pro se* petitions for writ of habeas corpus because Colone is not entitled to hybrid representation.

Colone has not demonstrated that he is clearly entitled to mandamus relief from this Court. *See State ex rel. Hill v. Court of Appeals for the Fifth Dist.*, 34 S.W.3d 924, 927 (Tex. Crim. App. 2001) (To demonstrate entitlement to a writ of mandamus, a relator must establish that the trial court failed to perform a ministerial duty, and that relator has no other adequate legal remedy.). Accordingly, we deny relief on the petition for writ of mandamus.

PETITION DENIED.

PER CURIAM

Submitted on September 16, 2015
Opinion Delivered September 30, 2015
Do not publish

Before Kreger, Horton, and Johnson, JJ.