



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-17-00156-CR

IN RE CURLEY JEFFERSON

Original Mandamus Proceeding

Before Morriss, C.J., Moseley and Burgess, JJ.
Memorandum Opinion by Chief Justice Morriss

MEMORANDUM OPINION

Curley Jefferson, who is represented by appointed counsel in the underlying appeal from his conviction of possession of a controlled substance, has filed a petition for a writ of mandamus, complaining that the district clerk has not provided him with a copy of the record so that he can represent himself on appeal. We deny Jefferson's petition because (1) an attorney has been appointed to represent him on direct appeal¹ and (2) we do not have jurisdiction to issue a writ of mandamus against a district clerk unless such writ is necessary to enforce our jurisdiction. *See* TEX. GOV'T CODE ANN. § 22.221 (West 2004).

Because an attorney has been appointed to represent Jefferson on appeal, we treat Jefferson's pro se mandamus petition as presenting nothing for this Court's review. *See Patrick v. State*, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995). We, therefore, deny Jefferson's petition for a writ of mandamus.² *See* TEX. R. APP. P. 52.8(a).

Josh R. Morriss, III
Chief Justice

Date Submitted: August 10, 2017

Date Decided: August 11, 2017

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¹Jefferson does not have a right to hybrid representation. *See Marshall v. State*, 210 S.W.3d 618, 620 n.1 (Tex. Crim. App. 2006) (court refused to address appellant's pro se brief because appellant had no right to hybrid representation); *Ex parte Taylor*, 36 S.W.3d 883, 887 (Tex. Crim. App. 2001) ("Appellants are not allowed to have 'hybrid representation' on appeal, in which an appellant and an attorney can present independent points to an appellate court.").

²Jefferson also indicates that he wishes to represent himself in his direct appeal based on a perceived conflict of interest of his appointed counsel. This complaint is the subject of a motion filed by Jefferson in his direct appeal, our cause number 06-17-00126-CR, and will be addressed in that matter.