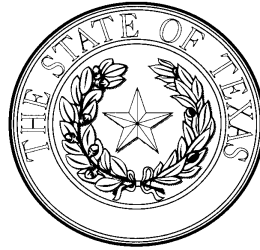


Opinion issued June 30, 2020



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00358-CR

IN RE DEVIN PAUL COLE, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Devin Paul Cole, seeks mandamus relief directing respondent, the Honorable Abigail Anastasio, “to [o]rder a[n] [i]mmediate [h]earing on [relator’s] Application for a[n] Emergency Writ of Habeas Corpus Seeking Release from the Harris County Jail on a Personal Recognizance Bond Due to the (COVID-19) Coronavirus” because, among other things, there is “[i]nsufficient [e]vidence” and he has been “over-charged” with the felony offense of “[a]ggravated [a]ssault with

a [d]eadly [w]eapon instead of [the] [m]isdemeanor [offense of] [c]riminal [m]ischief.”¹

Relator concedes in his petition for writ of mandamus that he is represented by court-appointed trial counsel below. Accordingly, his pro se mandamus petition presents nothing for this Court’s review because a criminal defendant is not entitled to hybrid representation. *See Patrick v. State*, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995); *Gray v. Shipley*, 877 S.W.2d 806, 806 (Tex. App.—Houston [1st Dist.] 1994, no pet.).

We dismiss relator’s petition for want of jurisdiction.²

PER CURIAM

Panel consists of Chief Justice Radack and Justices Lloyd and Countiss.

Do not publish. TEX. R. APP. P. 47.2(b).

¹ The underlying case is *State of Texas v. Devin Paul Cole*, Cause No. 1666250, pending in the 184th District Court of Harris County, Texas, the Honorable Abigail Anastasio presiding.

² This Court has previously dismissed relator’s similar mandamus petition on the same ground. *See In re Devin Paul Cole*, No. 01-17-00338-CR, 2017 WL 2178889, at *1 (Tex. App.—Houston [1st Dist.] May 18, 2017, orig. proceeding).