

COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

Rayan Dhanes Ganesh v. The State of Texas

Ganesh · No. Nos. 05-20-00861-CR & 05-20-00862-CR · Decided May 13, 2021

SUMMARY

The Fifth District Court of Appeals at Dallas denied the appellant's pro se motions seeking appointment of new counsel and a copy of the State's brief. The court held that the appellant was not entitled to hybrid representation and directed the clerk to send him a copy of the order and the State's brief.

CASE DETAILS

COURT	Court of Appeals of Texas, Fifth District at Dallas
WRITING FOR THE COURT	Lana Myers
JURISDICTION	Texas
DECIDED	May 13, 2021
DOCKET	Nos. 05-20-00861-CR & 05-20-00862-CR
DISPOSITION	other
PROCEDURAL POSTURE	On appeal from the 282nd Judicial District Court of Dallas County, Texas, the represented appellant filed pro se motions seeking appointment of new counsel and a copy of the State's brief.
PRECEDENTIAL VALUE	published
PARTIES	Rayan Dhanes Ganesh v. The State of Texas

TOPICS

[appellate procedure](#) [right to counsel](#) [criminal procedure](#)

PRACTICE AREAS

[criminal appellate procedure](#) [right to counsel](#)

QUESTIONS PRESENTED

1. Whether a represented criminal appellant is entitled to file pro se motions seeking appointment of new counsel and other appellate relief.
2. Whether the appellant should receive a copy of the State's brief.

HOLDINGS

1. An appellant who is represented by counsel on appeal has no right to hybrid representation, including the filing or consideration of pro se appellate motions or briefs.

KEY QUOTATIONS

“appellant has no right to hybrid representation on appeal”

FACTUAL BACKGROUND

Rayan Dhanes Ganesh was an appellant in two criminal appeals and was represented by counsel. He filed two pro se motions, one seeking appointment of new counsel and the other requesting a copy of the State's brief. The appellate court denied both motions but directed the clerk to provide him with a copy of the State's brief.

PROCEDURAL HISTORY

Ganesh appealed from the 282nd Judicial District Court in two criminal cases. While represented by counsel on appeal, he filed pro se motions seeking new counsel and a copy of the State's brief. The court denied the motions and directed the clerk to send him the State's brief.

DISPOSITION

other

CASES CITED

- Scheanette v. State, 144 S.W.3d 503, 505 n.2 (Tex. Crim. App. 2004)
- Patrick v. State, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995)
- Miniel v. State, 831 S.W.2d 310, 313 n.1 (Tex. Crim. App. 1992)
- Rudd v. State, 616 S.W.2d 623, 625 (Tex. Crim. App. [Panel Op.] 1981)
- Landers v. State, 550 S.W.2d 272, 280 (Tex. Crim. App. 1977) (op. on reh'g)

OPINION

PER CURIAM.

Order entered May 13, 2021 In The Court of Appeals Fifth District of Texas at Dallas No. 05-20-00861-CR No. 05-20-00862-CR RAYAN DHANES GANESH, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 282nd Judicial District Court Dallas County, Texas Trial Court Cause No. F16-76113-S & F16-76111-S ORDER Appellant has filed two pro se motions, one seeking the appointment of new counsel and the other asking for a copy of the State's brief.

We DENY his pro se motions. See Scheanette v. State, 144 S.W.3d 503, 505 n.2 (Tex. Crim. App. 2004) (appellant has no right to hybrid representation on appeal); Patrick v. State, 906 S.W.2d 481, 498 (Tex. Crim. App. 1995) (declining to address issues raised in supplemental brief filed by

appellant pro se when he was already represented by counsel); *Miniel v. State*, 831 S.W.2d 310, 313 n.1 (Tex.

Crim. App. 1992) (same); *Rudd v. State*, 616 S.W.2d 623, 625 (Tex. Crim. App. [Panel Op.] 1981) (appellant is not entitled to hybrid representation); *Landers v. State*, 550 S.W.2d 272, 280 (Tex. Crim. App. 1977) (op. on reh'g) (same).

We DIRECT the Clerk to send a copy of this order to Rayan Dhanes Ganesh, TDCJ# 02192899, Telford Unit, 3899 Hwy 98, New Boston, TX 75570, along with a copy of the State's brief. /s/ LANA MYERS JUSTICE