

2025-000,459

**ADMINISTRATIVE ORDER
CONCERNING *PRO SE* FILINGS IN CRIMINAL CASES
WHERE COUNSEL IS HIRED, ASSIGNED, OR APPOINTED**

2025 NOV 12 PM 2:27

FILED FOR RECORD
DISTRICT CLERK LUBBOCK COUNTY TEXAS

WHEREAS, an accused in the State of Texas has no constitutional or statutory right to hybrid representation, that is representation which is partially *pro se* and partially by counsel¹;

AND WHEREAS, an accused who has counsel (hired, assigned or appointed) is not a *pro se* litigant who must file pleadings on their own behalf to raise issues before the Court;

AND WHEREAS, counsel for an accused has a duty to the client to pursue the client's interest within the bounds of law² which includes filing pleadings on the client's behalf;

AND WHEREAS, an accused filing "*pro se*" pleadings that ask the Court to grant relief while also having counsel representing the accused is a form of hybrid representation;

AND WHEREAS the filing of pleadings by an accused appearing to proceed *pro se*, even though the accused has representation, causes a delay in administration of duties for the District Clerk;

AND WHEREAS having to navigate pleadings filed by counsel and those filed by an accused acting *pro se* but having an attorney causes a delay in administration of the duties of the Judges of the District Courts;

IT IS THEREFORE ORDERED that the Lubbock County District Courts will not consider nor rule upon any and all pleadings made by an accused on a *pro se* basis when the accused has an attorney of record (hired, assigned or appointed), in the cause.

IT IS FURTHER ORDERED that nothing herein is intended in any way to interfere with the right of an accused to proceed to trial without counsel as a self-represented litigant³, and in the event that a waiver of counsel is approved by the

¹ *Landers v. State*, 550 S.W. 2nd 272 (Tex. Crim. App. 1977)

² Texas Disciplinary Rules of Professional Conduct; Preamble: A Lawyer's Responsibilities

³ *Faretta v. California*, 422 U.S. 806 (1975)

Court, the Court shall consider and rule upon all proper *pro se* filings in such situations.

IT IS FURTHER ORDERED that this is a standing order of the Lubbock County District Courts and applies to all pending and future criminal cases in the District Courts. It is incorporated into each case without further order and is effective upon signing until amended or rescinded.

SO ORDERED this 7th day of November 2025.



Douglas H. Freitag, Judge Presiding
140th District Judge & Local District Court
Administrative Judge