

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00343-CR

SAMSON GONZALEZ, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 9th District Court
Montgomery County, Texas
Trial Cause No. 10-03-02962-CR**

MEMORANDUM OPINION

Appellant Samson Gonzalez attempts to appeal the denial of a motion to recuse the trial judge in cause number 10-03-02962-CR, which is currently pending in Montgomery County, Texas. The recusal motion was heard by the Honorable Layne Walker of the 252nd District Court of Jefferson County, Texas, on July 19th, 2010, and denied on that day. Appellant filed a notice of appeal on July 20, 2010. This Court does not have interlocutory jurisdiction over this matter. *See* TEX. R. CIV. P. 18a(f) (Denial of a motion to recuse the trial judge is reviewed for abuse of discretion on appeal from the

final judgment.); *Arnold v. State*, 853 S.W.2d 543, 544 (Tex. Crim. App. 1993) (Rule 18a of the Texas Rules of Civil Procedure applies to criminal cases.).

Because we do not have interlocutory jurisdiction to hear this appeal, it is dismissed.

APPEAL DISMISSED.

STEVE McKEITHEN
Chief Justice

Opinion Delivered July 22, 2010
Do Not Publish

Before McKeithen, C.J., Gaultney and Horton, JJ.