



IN THE
TENTH COURT OF APPEALS

No. 10-11-00180-CR

TOMMY LEON JONES,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 85th District Court
Brazos County, Texas
Trial Court No. 20852-85-B

MEMORANDUM OPINION

Tommy Leon Jones attempts to appeal from an order denying his motion to recuse. By letter dated May 20, 2011, the Clerk of this Court notified Jones that the appeal was subject to dismissal because it appeared the order denying Jones' motion to recuse was an interlocutory order and was not appealable. *See* TEX. R. CIV. P. 18a(f) ("If the motion is denied, it may be reviewed for abuse of discretion on appeal *from the final judgment.*") (Emphasis added); *Means v. State*, 825 S.W.2d 260, 260-61 (Tex. App.—Houston [1st Dist.] 1992, no pet.); *see also Apolinar v. State*, 820 S.W.2d 792, 794 (Tex.

Crim. App. 1991) (“The courts of appeals do not have jurisdiction to review interlocutory orders unless that jurisdiction has been expressly granted by law.”). The Clerk also warned Jones that the appeal would be dismissed unless, within 21 days of the date of the letter, a response was filed showing grounds for continuing the appeal. *See* TEX. R. APP. P. 44.3. We have not received a response from Jones.

Accordingly, this appeal is dismissed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed June 15, 2011
Do not publish
[CR25]