

Opinion filed June 17, 2021



In The  
**Eleventh Court of Appeals**

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**No. 11-21-00081-CR**

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**DANIEL RAY GARCIA, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 106th District Court  
Gaines County, Texas  
Trial Court Cause No. 19-5086**

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**MEMORANDUM OPINION**

Daniel Ray Garcia has filed a pro se notice of appeal from an order denying his motion to recuse Judge Reed A. Filley, the judge of the trial court. In the notice of appeal, which Appellant called a “petition for discretionary review,” Appellant requests that this court review the recusal rulings made by Judge John L. Pool. We dismiss the appeal.

When this appeal was filed, the clerk of this court wrote to Appellant and informed him that it did not appear that this court had jurisdiction in this matter. We requested that Appellant respond and show grounds to continue the appeal. We have not received any response from Appellant.

An order denying a motion to recuse is not a final, appealable order; it may be reviewed only in an appeal from a final judgment. *Green v. State*, 374 S.W.3d 434, 445 (Tex. Crim. App. 2012). An appeal of the decision to deny a motion to recuse, standing alone, would be improper. *Id.* Because Appellant has attempted to appeal from an order denying a motion to recuse, standing alone, we have no jurisdiction to entertain this appeal.

Accordingly, we dismiss this appeal for want of jurisdiction.

PER CURIAM

June 17, 2021

Do not publish.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

Panel consists of: Bailey, C.J.,  
Trotter, J., and Williams, J.