

DISMISS and Opinion Filed December 18, 2018



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-18-01471-CR

QUINCY BLAKELY, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 194th Judicial District Court
Dallas County, Texas
Trial Court Cause No. F15-18020-M**

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Francis, and Justice Myers
Opinion by Chief Justice Wright

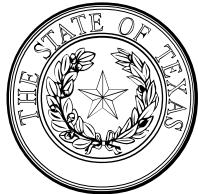
On December 6, 2018, Quincy Blake filed a notice of appeal. In the notice, he states he is appealing the “order that was allegedly entered in the record of the trial court ordering a retrial of cause number F1518020.” Attached to the notice of appeal, however, is the trial court’s December 5, 2018 “Order of Referral on Motion to Recuse” in which the trial court declined to recuse and referred the request to the Presiding Judge of the First Administrative Region. We contacted the court coordinator who informed us that the only order entered in the trial court in this case during the last thirty days was the December 5th order declining to recuse.

An order denying a motion to recuse “may be reviewed for abuse of discretion on appeal from the final judgment.” *Green v. State*, 374 S.W.3d 434, 445 (Tex. Crim. App. 2012). It follows

that an order declining to recuse and referring the matter to the presiding judge of an administrative region would likewise be an interlocutory order over which we have no jurisdiction. *Id*
We dismiss this appeal for want of jurisdiction.

Do Not Publish
TEX. R. APP. P. 47.2(b)
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/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

QUINCY BLAKELY, Appellant

No. 05-18-01471-CR V.

THE STATE OF TEXAS , Appellee

On Appeal from the 194th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. F15-18020-M.
Opinion delivered by Chief Justice Wright.
Justices Francis and Myers participating.

Based on the Court's opinion of this date, we **DISMISS** this appeal for want of jurisdiction.

Judgment entered December 18, 2018.