

Opinion issued December 6, 2016



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-16-00374-CV

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**EDWARD G. RIZK, Appellant**

**V.**

**J. CARY GRAY, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR  
AND PRESIDENT OF RIZK INTEREST, LTD., AND RIZK INTEREST,  
LTD., Appellees**

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**On Appeal from the Probate Court No. 1  
Harris County, Texas  
Trial Court Case No. 408941**

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**MEMORANDUM OPINION**

This is an attempted appeal from an order signed April 5, 2016, denying Edward G. Rizk's motion to recuse. Because we lack jurisdiction over this appeal, we dismiss.

Edward G. Rizk filed a motion to recuse Judge Loyd Wright. Judge Wright declined to recuse himself and referred the motion to the Honorable Guy Herman, Presiding Judge of the Statutory Probate Courts, for assignment of a judge to hear the motion. The Honorable Gladys Burwell was appointed and denied the motion by order signed April 5, 2016.

An appellate court lacks jurisdiction over appeals from interlocutory orders unless a statute provides for an appeal. *See Guilbot v. de Gonzalez*, 367 S.W.3d 442, 447 (Tex. App.—Houston [14th Dist.] 2012, pet. denied). No statute provides for appeal of an interlocutory order denying a motion to recuse, and therefore, it is appealable only on appeal of the final judgment. *See id.*; *Joannides v. Joannides*, No. 01–13–00090–CV, 2013 WL 1222584, at \*1 (Tex. App.—Houston [1st Dist.] Mar. 26, 2013, no pet.). Because the record indicates no final judgment has been signed, we have no jurisdiction over this appeal.

We dismiss the appeal. We dismiss any pending motions as moot.

**PER CURIAM**

Panel consists of Justices Massengale, Brown, and Huddle.