



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-20-00210-CV

DAMARIS MCCALLEY, Appellant

v.

DR. CLIFTON LYNDELL COX II; METHODIST SOUTHLAKE HOSPITAL;
RADIOLOGY ASSOCIATES OF NORTH TEXAS FOR SCOTT SMITH AND
DUSTIN DUY NGUYEN; DR. ABIODUN; DR. YAIR LOTAN; AND UT
SOUTHWESTERN HOSPITAL, Appellees

On Appeal from the 17th District Court
Tarrant County, Texas
Trial Court No. 017-312809-19

Before Womack, J.; Sudderth, C.J.; and Wallach, J.
Per Curiam Memorandum Opinion

MEMORANDUM OPINION

Pro se Appellant Damaris McCalley attempts to appeal from an order denying Appellant's motion to recuse.¹ We dismiss for want of jurisdiction.

On July 1, 2020, the trial court denied Appellant's motion to recuse. Appellant filed a notice of appeal, and on July 9, 2020, we notified Appellant of our concern that this court lacks jurisdiction over this appeal because the "Order Denying Motion to Recuse" does not appear to be a final judgment or an appealable interlocutory order. We also stated that the appeal would be dismissed unless Appellant or any party desiring to continue the appeal filed with the court, on or before July 20, 2020, a response showing grounds for continuing the appeal. Appellant responded, but the response does not show grounds on which this court may rely for continuing this appeal.

We have jurisdiction to consider appeals only from final judgments or from interlocutory orders made immediately appealable by statute. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). An order that does not dispose of all pending parties and claims remains interlocutory and unappealable until a final judgment is rendered unless a statutory exception applies. *See id.*; *In re Roxsane R.*, 249 S.W.3d 764,

¹In the notice of appeal, Appellant asks for appellate relief in addition to reviewing the trial court's order. Because we do not have jurisdiction, we can take no action in this case other than to dismiss the appeal. *See Thomas v. Pugliese*, No. 02-18-00026-CV, 2018 WL 771989, at *1 n.3 (Tex. App.—Fort Worth Feb. 8, 2018, pet. withdrawn) (per curiam) (mem. op.) (reasoning that court would not address requested relief after determining court had no jurisdiction over attempted appeal).

774–75 (Tex. App.—Fort Worth 2008, orig. proceeding). And an order denying a motion to recuse is not an appealable interlocutory order. *See* Tex. R. Civ. P. 18a(j)(1)(A) (“An order denying a motion to recuse may be reviewed only for abuse of discretion on appeal from the final judgment.”); *Hawkins v. Walker*, 233 S.W.3d 380, 401 (Tex. App.—Fort Worth 2007, pet. denied). Because the order from which Appellant attempts to appeal is an unappealable interlocutory order, we dismiss this appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a), 43.2(f).

Per Curiam

Delivered: August 13, 2020