

Dismissed and Opinion filed March 15, 2001.

In The
Fourteenth Court of Appeals

NO. 14-99-01405-CR

FRANK HOWE LECLAIRE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the County Court at Law No. 2
Brazos County, Texas
Trial Court Cause No. 2062-99**

OPINION

This is an appeal from an order denying appellant's pre-trial motion for recusal and disqualification of the trial judge in a criminal prosecution. The order complained of is interlocutory. The courts of appeals do not have jurisdiction to review interlocutory orders unless that jurisdiction has been expressly granted by law. *See Ex parte Apolinar v. State*, 820 S.W.2d 792, 794 (Tex. Crim. App. 1991). There is no statutory provision which grants the court of appeals jurisdiction over pre-trial motions for recusal and disqualification before

a final judgment has been entered. Accordingly, the appeal is dismissed for lack of jurisdiction. *See Means v State*, 825 S.W.2d 260 (Tex. App.—Houston [1st Dist.] 1992, no pet.).

/s/ J. Harvey Hudson
Justice

Judgment rendered and Opinion filed March 15, 2001.

Panel consists of Justices Hudson, Draughn, and Amidei.*

Do Not Publish — TEX. R. APP. P. 47.3(b).

* Senior Justice Joe L. Draughn and Former Justice Maurice Amidei sitting by assignment.