

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

In re Reinaldo J. Aguiar Marcano

No. 01-25-00978-CV · No. 01-25-00978-CV · Decided November 25, 2025

SUMMARY

The First Court of Appeals of Texas dismissed Reinaldo J. Aguiar Marcano’s petition for a writ of mandamus for want of jurisdiction. The petition challenged an order denying a motion to recuse signed by the presiding judge of the Eleventh Administrative Judicial Region of Texas. The court expressed no opinion on the merits and dismissed pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Chief Justice Adams; Justice Morgan; Justice Dokupil
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	November 25, 2025
DOCKET	01-25-00978-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding on a petition for writ of mandamus challenging an order denying a second motion to recuse and related amendments and supplements.
STANDARD OF REVIEW	A court of appeals may issue writs of mandamus only within the jurisdiction granted by Texas Government Code section 22.221.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Reinaldo J. Aguiar Marcano, Relator v. State of Texas

TOPICS

- appellate jurisdiction
- appellate procedure
- family law procedure
- civil procedure

PRACTICE AREAS

- Appellate procedure
- Mandamus
- Family law

QUESTIONS PRESENTED

1. Whether the First Court of Appeals had writ jurisdiction over the Presiding Judge of the Eleventh Administrative Judicial Region of Texas.
2. Whether the court needed to issue a writ of mandamus to enforce its own jurisdiction.

HOLDINGS

1. The court of appeals lacked writ jurisdiction over Judge Brown in that capacity.
2. A writ of mandamus was not necessary to enforce the court's jurisdiction.

KEY QUOTATIONS

“Accordingly, we dismiss this proceeding for want of jurisdiction, expressing no opinion on the merits.” (at 1)

FACTUAL BACKGROUND

Relator challenged an order denying his second motion to recuse and all subsequent amendments and supplements. The order was signed by Susan Brown, the Presiding Judge of the Eleventh Administrative Judicial Region of Texas. The underlying family-law proceeding concerns the marriage of Gloria Espina and Reinaldo J. Aguiar and the interests of a child.

PROCEDURAL HISTORY

Relator sought mandamus relief from an order signed by Susan Brown, Presiding Judge of the Eleventh Administrative Judicial Region of Texas. The court of appeals concluded that it lacked writ jurisdiction over Judge Brown in that capacity and dismissed the proceeding for want of jurisdiction; pending motions were dismissed as moot.

DISPOSITION

dismissed

CASES CITED

- In re Valladolid, Nos. 07-06-0173-CV & 07-06-0174-CV, 2006 WL 1997401, at *1-*2 (Tex. App.—Amarillo July 18, 2006, orig. proceeding) (mem. op.)

OPINION

PER CURIAM.

Opinion issued November 25, 2025 In The Court of Appeals For The First District of Texas NO. 01-25-00978-CV IN RE REINALDO J. AGUIAR MARCANO, Relator Original Proceeding on Petition for Writ of Mandamus MEMORANDUM OPINION Relator Reinaldo J. Aguiar Marciano has filed a petition for writ of mandamus challenging an Order Denying Second Motion to Recuse and All Subsequent Amendments and Supplements signed on November 19, 2025 by the Honorable Susan Brown, Presiding Judge of the Eleventh Administrative Judicial Region of

Texas.¹ 1 The underlying case is In the Matter of the Marriage of Gloria Espina and Reinaldo J. Aguiar and in the Interest of M.A.A., a child; cause number 25-DCV-328122, This Court lacks writ jurisdiction over Judge Brown in her capacity as Presiding Judge of the Eleventh Administrative Judicial Region of Texas.

See TEX. GOV'T CODE § 22.221(a), (b); see also In re Valladolid, Nos. 07–06–0173–CV & 07–06–0174–CV, 2006 WL 1997401, at *1–2 (Tex. App.—Amarillo July 18, 2006, orig. proceeding) (mem. op.) (concluding appellate court lacked jurisdiction to direct presiding judge of administrative judicial district to vacate order denying motions for disqualification and recusal of judge).

And it is not necessary to issue a writ of mandamus to enforce our jurisdiction. TEX. GOV'T CODE § 22.221(a). Accordingly, we dismiss this proceeding for want of jurisdiction, expressing no opinion on the merits. Any pending motions are dismissed as moot. PER CURIAM Panel consists of Chief Justice Adams and Justices Morgan and Dokupil. pending in the 387th District Court of Fort Bend County, Texas, the Honorable Oscar M. Telfair III presiding.