

DISMISS; and Opinion Filed August 24, 2015.



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

No. 05-15-00955-CV

IN THE GUARDIANSHIP OF NY'DIA SIMMONS, AN INCAPACITATED PERSON

**On Appeal from the Probate Court No. 2
Dallas County, Texas
Trial Court Cause No. PR-10-00865-2**

MEMORANDUM OPINION

Before Justices Francis, Lang-Miers and Whitehill
Opinion by Justice Lang-Miers

Stating this appeal has become moot because the trial court granted her motion for new trial, appellant has filed a motion to dismiss the appeal and waive the appellate filing fee. *See* TEX. R. APP. P. 42.1(a)(1). We grant the motion to the extent we dismiss the appeal. *See id.*

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE



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

JUDGMENT

IN THE GUARDIANSHIP OF NY'DIA
SIMMONS, AN INCAPACITATED
PERSON

No. 05-15-00955-CV

On Appeal from the Probate Court No. 2,
Dallas County, Texas
Trial Court Cause No. PR-10-00865-2.
Opinion delivered by Justice Lang-Miers.
Justices Francis and Whitehill participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

We **ORDER** appellee The Arc of Dallas recover its costs, if any, of this appeal from appellant.

Judgment entered this 24th day of August, 2015.