

Dismissed and Memorandum Opinion filed June 10, 2010.



In The

**Fourteenth Court of Appeals**

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**NO. 14-08-00972-CR**

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**BOBBY LEE MORENO, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 23rd District Court  
Brazoria County, Texas  
Trial Court Cause No. 54,772**

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**MEMORANDUM OPINION**

Appellant filed a notice of appeal from his conviction for aggravated sexual assault. He also filed a motion for new trial, which the trial court granted. The State appealed the granting of the motion for new trial. This court abated appellant's appeal pending resolution of the State's appeal. We subsequently affirmed the trial court's ruling granting the motion for new trial. *See State v. Moreno*, 297 S.W.3d 512 (Tex. App.—Houston [14th Dist.] 2009, pet. ref'd). Because the Court of Criminal Appeals refused the State's petition for discretionary review, and the time for rehearing has passed, the ruling on the motion for new trial is final. Therefore, appellant's appeal of the

judgment of conviction has been rendered moot.

On May 17, 2010, this court notified the parties of its intention to dismiss this appeal as moot. No objection was filed.

Accordingly, we dismiss appellant's appeal.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Yates and Boyce.

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