



COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH

NO. 2-09-256-CV

RAMON COSTILLA

APPELLANT

V.

UNIFUND CCR PARTNERS

APPELLEE

FROM COUNTY COURT AT LAW NO. 2 OF DENTON COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

Appellant filed a timely notice of appeal from the trial court's June 29, 2009 "Judgment." The trial court subsequently granted appellant's motion for new trial on October 8, 2009, while it still had plenary jurisdiction over the case. *See* Tex. R. Civ. P. 329b(e).

¹ [...](#) *See* Tex. R. App. P. 47.4.

On October 19, 2009, we informed the parties that it appeared the trial court's granting of the motion for new trial rendered this appeal moot and that the appeal would be dismissed as moot unless, on or before October 29, 2009, any party desiring to continue the appeal filed a response showing grounds for continuing the appeal. Neither party filed a response.

Accordingly, on this court's own motion, we dismiss the appeal as moot. See Tex. R. App. P. 42.3(a), 43.2(f).

PER CURIAM

PANEL: GARDNER, WALKER, and MCCOY, JJ.

DELIVERED: November 25, 2009