



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 02-17-00144-CV**

IN THE INTEREST OF D.B., A  
CHILD

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FROM THE 233RD DISTRICT COURT OF TARRANT COUNTY  
TRIAL COURT NO. 233-606195-16

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**MEMORANDUM OPINION<sup>1</sup>**

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R.H. filed both a notice of appeal and a motion for new trial seeking relief from the trial court's default order establishing the parent-child relationship and ordering him to pay child support. Both were timely filed. See Tex. R. App. P. 26.1(a)(1); Tex. R. Civ. P. 329b(a). Within its plenary power over the final order, the trial court signed a motion granting appellant's motion for new trial. See Tex. R. Civ. P. 329b(e). That order reinstated the case on the trial court's docket as though no trial had been had and also mooted this appeal. See, e.g., *In re*

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<sup>1</sup>See Tex. R. App. P. 47.4.

*J.L.G.*, No. 01-17-00129-CV, 2017 WL 1504008, at \*1 (Tex. App.—Houston [1st Dist.] Apr. 25, 2017, no pet.) (mem. op.). Accordingly, we dismiss this appeal as moot. See Tex. R. App. P. 42.3(a), 43.2(f).

/s/ Terrie Livingston

TERRIE LIVINGSTON  
CHIEF JUSTICE

PANEL: LIVINGSTON, C.J.; WALKER and MEIER, JJ.

DELIVERED: July 6, 2017