



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-23-00303-CR

KYLE RAMIREZ, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 100th District Court
Collingsworth County, Texas
Trial Court No. 3094, Honorable Ron Enns, Presiding by Assignment

February 22, 2024

MEMORANDUM OPINION

Before QUINN, C.J., and PARKER and DOSS, JJ.

Appellant, Kyle Ramirez, appeals from the trial court's judgment adjudicating him guilty of sexual assault of a child¹ and sentencing him to fifteen years of confinement. Following the adjudication, the trial court granted Appellant's motion for new trial. The legal effect of an order granting a new trial is to vacate the original judgment and restore the case to its position before the former trial. TEX. R. APP. P. 21.9(b). As there is now

¹ See TEX. PENAL CODE ANN. § 22.011.

no final judgment from which an appeal may be prosecuted, this Court has no jurisdiction over the appeal.² See *McLaughlin v. State*, No. 07-15-00416-CR, 2015 Tex. App. LEXIS 13008, at *1 (Tex. App.—Amarillo Dec. 29, 2015, no pet.) (per curiam) (mem. op., not designated for publication).

Accordingly, the appeal is dismissed for want of jurisdiction.

Per Curiam

Do not publish.

² By letter of January 30, 2024, we directed Appellant to show how we have jurisdiction over this appeal by February 12. Appellant has not filed response or had any further communication with this Court to date.