

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-15-00457-CV

Dylan Eugene Taylor, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 200TH JUDICIAL DISTRICT
NO. D-1-AG-15-000553
HONORABLE ANGELITA MENDOZA WATERHOUSE, JUDGE PRESIDING**

MEMORANDUM OPINION

Dylan Eugene Taylor filed a notice of appeal and appellant's brief attempting to challenge the trial court's final order establishing paternity and ordering him to pay child support. However, as the Attorney General recites in his appellee's brief and as reflected in the supplemental clerk's record, Taylor timely filed a motion for new trial, which extended the period of the trial court's plenary jurisdiction, and the trial court granted Taylor's motion within 75 days of its final order. *See* Tex. R. Civ. P. 329b(c), (d), (e). The trial court's grant of a new trial within its period of plenary jurisdiction vacated its final order, leaving nothing over which this Court may exercise jurisdiction. *See Wilkins v. Methodist Health Care Sys.*, 160 S.W.3d 559, 563 (Tex. 2005); *Federal Nat'l Mortg. Ass'n v. Haddox*, No. 03-15-00006-CV, 2015 WL 2183527, at *1 (Tex. App.—Austin May 8, 2015, no pet.) (mem. op.). Accordingly, we dismiss this appeal for want of jurisdiction. *See* Tex. R. App. P. 43.2(f).

David Puryear, Justice

Before Justices Puryear, Goodwin, and Field

Dismissed for Want of Jurisdiction

Filed: May 6, 2016