



**NUMBER 13-08-00181-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**VALERIE SOLIS,**

**Appellant,**

**v.**

**THE STATE OF TEXAS,**

**Appellee.**

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**On appeal from the 28th District Court of Nueces County, Texas.**

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## **MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Rodriguez and Benavides  
Memorandum Opinion Per Curiam**

Appellant, Valerie Solis, filed a notice of appeal challenging her conviction for aggravated robbery and aggravated kidnapping. By order signed May 21, 2008, the trial court granted appellant's motion for new trial.

When the trial court grants a motion for new trial, it restores the case to its position before the former trial. See TEX. R. APP. P. 21.9(b). Because there is no conviction to be

appealed, we have no jurisdiction to consider this appeal. See *Waller v. State*, 931 S.W.2d 640, 643-44 (Tex. App.–Dallas 1996, no pet.).

The Court, having examined and fully considered the documents on file and the trial court's order granting a new trial, is of the opinion that the appeal should be dismissed for want of jurisdiction. See *id.* The appeal is hereby DISMISSED FOR WANT OF JURISDICTION.

PER CURIAM

Do not publish. TEX. R. APP. P. 47.2(b).

Memorandum Opinion delivered and filed this the 29th day of January, 2009.