

NO. 12-10-00106-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***BENJAMIN GEORGE SIMPSON,
APPELLANT***

§ APPEAL FROM THE

V.

§ COUNTY COURT AT LAW OF

***THE STATE OF TEXAS,
APPELLEE***

§ ANDERSON COUNTY, TEXAS

***MEMORANDUM OPINION
PER CURIAM***

Appellant was convicted of assault causing bodily injury and sentenced to one year of confinement in the Anderson County Jail. After sentencing, Appellant filed a notice of appeal and a motion for new trial. We have received a copy of the trial court's order granting Appellant's motion for new trial. This order renders this appeal moot. Accordingly, we *dismiss* the appeal.

Opinion delivered June 9, 2010.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(DO NOT PUBLISH)