

Dismissed and Opinion Filed October 21, 2014.



In The  
**Court of Appeals**  
**Fifth District of Texas at Dallas**

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No. 05-14-00066-CR

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**CRAIG DICKEY, Appellant**  
**V.**  
**THE STATE OF TEXAS, Appellee**

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**On Appeal from the Criminal District Court No. 5**  
**Dallas County, Texas**  
**Trial Court Cause No. F06-99720-L**

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**MEMORANDUM OPINION**

Before Justices FitzGerald, Fillmore, and Stoddart  
Opinion by Justice Stoddart

Craig Dickey was convicted, upon the adjudication of his guilt, of aggravated sexual assault of a child and sentenced to twenty-five years' imprisonment. We adopted the trial court's finding that the trial court granted an agreed motion for new trial and the case remains pending.

An order granting a motion for new trial restores a case to its position before the former trial and there is no longer a judgment in place. *See* TEX. R. APP. P. 21.9(b); *Waller v. State*, 931 S.W.2d 640, 643–44 (Tex. App.—Dallas 1996, no pet.). Absent a judgment of conviction or other appealable order, this Court has no jurisdiction over an appeal. *See Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.).

We dismiss the appeal for want of jurisdiction.

/ Craig Stoddart/  
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CRAIG STODDART  
JUSTICE

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TEX. R. APP. P. 47  
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**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

CRAIG DICKEY, Appellant

No. 05-14-00066-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court  
No. 5, Dallas County, Texas  
Trial Court Cause No. F06-99720-L.  
Opinion delivered by Justice Stoddart,  
Justices FitzGerald and Fillmore  
participating.

Based on the Court's opinion of this date, we **DISMISS** the appeal for want of jurisdiction.

Judgment entered this 21st day of October, 2014.