

Dismiss and Opinion Filed July 5, 2016



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

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No. 05-16-00387-CV

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**IN THE INTEREST OF D.M. AND D.M., CHILDREN**

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**On Appeal from the 304th Judicial District Court**  
**Dallas County, Texas**  
**Trial Court Cause No. 15-00317**

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**MEMORANDUM OPINION**

Before Justices Myers, Stoddart, and Whitehill  
Opinion by Justice Whitehill

Since the filing of this appeal, the trial court has granted a new trial. As we informed the parties by order entered June 28, 2016, an order granting a new trial deprives an appellate court of jurisdiction over the appeal. *See Yan v. Jiang*, 241 S.W.3d 930, 930 (Tex. App.—Dallas 2008, no pet.). Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a); *Yan*, 214 S.W.3d at 930.

/Bill Whitehill/  
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BILL WHITEHILL  
JUSTICE

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

**JUDGMENT**

IN THE INTEREST OF D.M. AND D.M.,  
CHILDREN

No. 05-16-00387-CV

On Appeal from the 304th Judicial District  
Court, Dallas County, Texas  
Trial Court Cause No. 15-00317.  
Opinion delivered by Justice Whitehill.  
Justices Myers and Stoddart participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

Judgment entered this day of July 5, 2016.