

**DISMISS and Opinion Filed September 19, 2018**



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

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**No. 05-18-00810-CV**

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**SHERONDA WEBSTER, Appellant**

**V.**

**ELDORADO HEIGHTS SECTION II HOMEOWNERS ASSOCIATION, INC., Appellee**

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**On Appeal from the 401st Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 401-01874-2018**

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**MEMORANDUM OPINION**

Before Chief Justice Wright, Justice Evans, and Justice Brown  
Opinion by Chief Justice Wright

The Court questioned its jurisdiction over this appeal as the clerk's record contained an order granting appellant's motion for new trial. We instructed appellant to file, by August 27, 2018, a letter brief addressing the jurisdictional issue and cautioned her that failure to comply may result in dismissal of the appeal without further notice. Appellant has not complied.

An order granting a new trial deprives an appellate court of jurisdiction over an appeal. *See Yan v. Jiang*, 241 S.W.3d 930, 930 (Tex. App.—Dallas 2008, no pet.). The trial court signed the judgment on May 15, 2018. Appellant filed a timely motion for new trial on May 24, 2018. The trial court signed an order granting the motion for new trial on August 10, 2018.

Because the trial court has granted a new trial, this Court lacks jurisdiction over this appeal.

Accordingly, we dismiss the appeal. *See* Tex. R. App. P. 42.3(a).

/Carolyn Wright/

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CAROLYN WRIGHT  
CHIEF JUSTICE

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

**JUDGMENT**

SHERONDA WEBSTER, Appellant

No. 05-18-00810-CV      V.

ELDORADO HEIGHTS SECTION II  
HOMEOWNERS ASSOCIATION, INC.,  
Appellee

On Appeal from the 401st Judicial District  
Court, Collin County, Texas

Trial Court Cause No. 401-01874-2018.

Opinion delivered by Chief Justice Wright.

Justices Evans and Brown participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee ELDORADO HEIGHTS SECTION II HOMEOWNERS ASSOCIATION, INC. recover its costs of this appeal from appellant SHERONDA WEBSTER.

Judgment entered September 19, 2018.