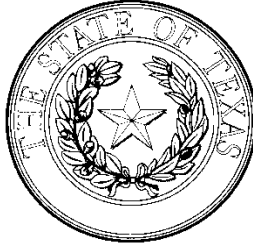


Opinion issued August 30, 2012



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-12-00399-CR

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**MEGHAN NICOLE SPILLANE, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the County Criminal Court at Law No. 10  
Harris County, Texas  
Trial Court Case No. 1810065**

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**MEMORANDUM OPINION**

On March 20, 2012, the trial court sentenced appellant, Meghan Nicole Spillane. On April 19, 2012, appellant timely filed a motion for new trial, and on April 24, 2012, appellant timely filed a notice of appeal. Subsequent to the filing of her notice of appeal, on June 1, 2012, the trial court granted appellant's motion

for new trial. The granting of a motion for new trial restores the case to its position before the former trial. *See* TEX. R. APP. P. 21.9(b). No motion to withdraw the notice of appeal has been filed. *See* TEX. R. APP. P. 42.2. However, the appeal was rendered moot by the order granting a new trial. *See* TEX. R. APP. P. 21.9(b).

Accordingly, we dismiss the appeal as moot. *See* TEX. R. APP. P. 43.2(f).

We dismiss any pending motions as moot.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Jennings and Keyes.

Do not publish.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