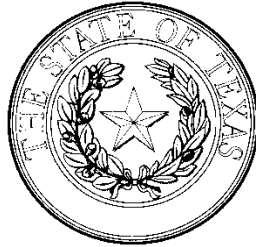


Opinion issued July 29, 2014



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

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NO. 01-14-00298-CR

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**CHARLES BERNARD GARCIA, Appellant**  
V.  
**THE STATE OF TEXAS, Appellee**

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**On Appeal from the County Criminal Court at Law No. 3  
Harris County, Texas  
Trial Court Case No. 1886090**

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**MEMORANDUM OPINION**

Appellant Charles Bernard Garcia appealed from the trial court's judgment signed on March 26, 2014. On June 9, 2014, the trial court granted appellant's motion for new trial. On July 15, 2014, appellant filed a motion to dismiss his appeal for lack of jurisdiction because the appeal was rendered moot by the trial

court's order granting the motion for new trial. The granting of a motion for new trial restores the case to its position before the former trial and renders any appeal moot. *See* TEX. R. APP. P. 21.9(b); *Galvan v. Harris Cnty.*, No. 01-09-00884-CV, 2011 WL 345677, at \*1 (Tex. App.—Houston [1st Dist.] Jan. 31, 2011, no pet.) (mem. op.).

Accordingly, we grant the motion and dismiss the appeal as moot. *See* TEX. R. APP. P. 43.2(f). We dismiss any other pending motions as moot.

**PER CURIAM**

Panel consists of Justices Jennings, Bland, and Massengale.

Do not publish.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