

Opinion issued August 21, 2014



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

NO. 01-14-00377-CV

IN THE INTEREST OF D.M.B., D.M.B., AND D.M.B., Children

**On Appeal from the 313th District Court
Harris County, Texas
Trial Court Cause No. 2013-01268J**

MEMORANDUM OPINION

The appellant, D.M.B., timely filed a notice of appeal on May 6, 2014, from the trial court's final decree terminating her parental rights to the three minor children made the subject of this suit. On the same day, appellant also filed a motion for new trial. On July 15, 2014, the Clerk of this Court filed a Notice directing the district court clerk to file a supplemental clerk's record containing the

order regarding appellant's motion for new trial. On July 28, 2014, the trial court clerk filed a compliant supplemental clerk's record containing the order on appellant's motion for new trial. The trial court granted the motion for new trial on May 8, 2014, which may have rendered this appeal moot. *Cf.* TEX. R. APP. P. 21.9(b) ("Granting a new trial restores the case to its position before the former trial . . .").

On July 31, 2014, the Clerk of this Court issued a Notice that this Court may dismiss this appeal for want of jurisdiction unless appellant filed a response within 10 days of the Notice explaining how this Court had jurisdiction over this appeal. Appellant did not timely respond to the Notice.

Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a), (c). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Higley, Bland, and Sharp.