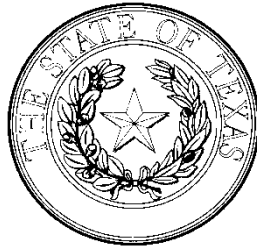


Opinion issued September 22, 2016



In The
Court of Appeals
For The
First District of Texas

NO. 01-16-00601-CV

PAMELA OZUEH, CHUKWUEMEKA IFEJI, AND ALL OCCUPANTS,
Appellants

V.

ABERDEEN, Appellee

On Appeal from the County Civil Court at Law No. 3
Harris County, Texas
Trial Court Case No. 1079868

MEMORANDUM OPINION

Appellants, Pamela Ozueh, Chukwuemeka Ifeji, and All Occupants, timely filed a notice of appeal of the trial court's judgment signed on July 19, 2016. On

August 1, 2016, the trial court signed an order granting a motion for new trial. We dismiss the appeal.

Generally, appeals may be taken only from final judgments. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). When the trial court grants a motion for new trial, the case is reinstated on the trial court's docket and will proceed to trial as though no trial had been previously conducted. *Wilkins v. Methodist Health Care Sys.*, 160 S.W.3d 559, 563 (Tex. 2005) (citations omitted). The granting of a new trial renders the appeal moot, and this Court lacks jurisdiction over the appeal. *See In re W.B.B.*, No. 05-16-00147-CV, 2016 WL 1320804, at *1 (Tex. App.—Dallas Apr. 5, 2016, no pet.) (mem. op.); *Galvan v. Harris Cty.*, No. 01-09-00884-CV, 2011 WL 345677, at *1 (Tex. App.—Houston [1st Dist.] Jan. 31, 2011, no pet.) (mem. op.).

On August 18, 2016, we notified appellants of our intent to dismiss the appeal for want of jurisdiction, unless by August 29, 2016, they responded and provided an explanation supported by authority to show that this Court has jurisdiction over the appeal. *See* TEX. R. APP. P. 42.3(a). Appellants have not responded.

Because the trial court has granted a new trial, we dismiss the appeal for lack of jurisdiction. *See* TEX. R. APP. P. 42.3(a), 43.2(f). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Bland, Massengale, and Lloyd.