

Dismissed and Memorandum Opinion filed October 25, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00578-CV

IN THE INTEREST OF S.L.M. AKA B.G.A.A., A CHILD

On Appeal from 314th District Court
Harris County, Texas
Trial Court Cause No. 2009-08311J

MEMORANDUM OPINION

This is an appeal from a decree of termination signed June 7, 2011. On June 14, 2011, the trial court granted appellant's motion for new trial.

A trial court has plenary power over its judgment until it becomes final. *Fruehauf Corp. v. Carrillo*, 848 S.W.2d 83, 84 (Tex. 1993). The trial court also retains continuing control over interlocutory orders and has the power to set those orders aside any time before a final judgment is entered. *Id.* An order granting a new trial is an unappealable, interlocutory order. *Id.*

On October 4, 2011, notification was transmitted to all parties of the Court's intent to dismiss the appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a). Appellant filed no response.

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Justices Brown, Boyce, and McCally.