

Dismissed and Memorandum Opinion filed August 19, 2014.



In The

Fourteenth Court of Appeals

NO. 14-14-00569-CV

MARTHA ROXANNE CORT, Appellant

V.

DAGNEE MCKINNEY AND LEROY SIMMS, Appellees

**On Appeal from the County Civil Court at Law No. 4
Harris County, Texas
Trial Court Cause No. 1015160-003**

M E M O R A N D U M O P I N I O N

This is an attempted appeal from an order granting a motion for new trial. Generally, appeals may be taken only from final judgments. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). Except in limited circumstances, not applicable here, an order granting a motion for new trial rendered within the period of the trial court's plenary power is not reviewable on appeal. *Wilkins v. Methodist Health Care System*, 160 S.W.3d 559, 563 (Tex. 2005).

On August 1, 2014, notification was transmitted to the parties of this court's intention to dismiss the appeal for want of jurisdiction unless appellant filed a response demonstrating grounds for continuing the appeal on or before August 12, 2014. *See* Tex. R. App. P. 42.3(a). On August 11, 2014, appellant filed a petition for writ of mandamus challenging the trial court's order, and a notice that the notice of appeal in this cause was inadvertently filed.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Boyce, Jamison, and Donovan.