



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00014-CV

Sherman Patrick Wayne **MILLER**,
Appellant

v.

Lee Ann Marie **MILLER**,
Appellee

From the 79th Judicial District Court, Jim Wells County, Texas
Trial Court No. 12-12-51753-CV
Honorable Richard C. Terrell, Judge Presiding

PER CURIAM

Sitting: Marialyn Barnard, Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: July 9, 2014

MOTION TO DISMISS GRANTED; APPEAL DISMISSED

Appellant filed a motion to dismiss this appeal, asserting the appeal is moot because the trial court granted a motion for new trial. We grant the motion. *See* TEX. R. APP. P. 42.1(a)(1). We order all costs assessed against appellant. *See* TEX. R. APP. P. 42.1(d) (absent agreement of the parties, costs are taxed against appellant).

PER CURIAM