

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-14-00022-CV
NO. 09-14-00023-CV
NO. 09-14-00024-CV
NO. 09-14-00025-CV
NO. 09-14-00026-CV

TOMMIE ALLEN RINGO, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 1A District Court
Jasper County, Texas
Trial Cause Nos. 33435, 33436, 33438, 33439 and 33442

MEMORANDUM OPINION

The Texas Department of Public Safety (“DPS”) filed a motion to dismiss Tommie Allen Ringo’s appeals of five orders granting expunction. Ringo did not respond to the motion. We grant the motion and dismiss the appeals.

The trial court signed the expunction orders on September 27, 2013. In each of the five cases, DPS filed a motion for new trial on October 23, 2013, and the

trial court signed an order granting the motion for new trial before the motion for new trial was overruled by operation of law. The trial court granted the motion for new trial while the court maintained its plenary jurisdiction over the cases. *See* Tex. R. Civ. P. 329b(e). An order granting a motion for new trial is not a final appealable order. *Fruehauf Corp. v. Carrillo*, 848 S.W.2d 83, 84 (Tex. 1993). This Court lacks jurisdiction to hear the appeals because the notices of appeal seek a review of vacated judgments which are not final and appealable orders. *See* Tex. Civ. Prac. & Rem. Code Ann. § 51.012 (West Supp. 2013) (A person may appeal from a final judgment.). Accordingly, the appeals are dismissed. Tex. R. App. P. 43.2(f).

APPEALS DISMISSED.

LEANNE JOHNSON
Justice

Opinion Delivered March 20, 2014

Before Kreger, Horton, and Johnson, JJ.