



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-21-00229-CV

RICK FINKELSTEIN; ENTERTAINMENT FACTORY, LLC; DEATH HOUSE
MOVIE, LLC; ENTERTAINMENT FACTORY MUSIC, LLC; AND
ENTERTAINMENT FACTORY STUDIOS, LLC, Appellants

v.

JERRY HAWRYLAK, Appellee

On Appeal from the 67th District Court
Tarrant County, Texas
Trial Court No. 067-322945-21

Before Sudderth, C.J.; Kerr and Birdwell, JJ.
Per Curiam Memorandum Opinion

MEMORANDUM OPINION AND JUDGMENT

After Appellants perfected their appeal, the trial court vacated the default judgment and granted a new trial. *See* Tex. R. App. P. 329b. Appellants subsequently filed an unopposed motion to dismiss the appeal. Because there is no longer a final judgment, and because the trial court granted a new trial, we grant Appellants' motion and dismiss the appeal for want of jurisdiction. *See* Tex. R. App. P. 42.1(a)(1), 43.2(f).

The parties shall bear their own costs. *See* Tex. R. App. P. 42.1(d), 43.4.

Per Curiam

Delivered: August 26, 2021