

NO. 07-02-0340-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL E
SEPTEMBER 26, 2002

JUDI LYNN LEDFORD,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 47TH DISTRICT COURT OF POTTER COUNTY;
NO. 45,613-A; HON. RICHARD DAMBOLD, PRESIDING

Before QUINN and REAVIS, JJ., and BOYD, SJ.¹

Judi Lynn Ledford appealed, *pro se*, her conviction for possession of a controlled substance. However, subsequent thereto, and within the time allotted for doing so, appellant also moved for a new trial through her attorney. Within 75 days of the day sentence was imposed, the trial court granted the motion. This resulted in the case being restored to its position before trial, TEX. R. APP. P. 21.9, and, we have no jurisdiction over the appeal. *Waller v. State*, 931 S.W.2d 640, 643-44 (Tex. App.–Dallas 1996, no writ).

¹John T. Boyd, Chief Justice (Ret.), Seventh Court of Appeals, sitting by assignment. TEX. GOV'T CODE ANN. §75.002(a)(1) (Vernon Supp. 2002).

The State also moved to dismiss in the trial court on the basis the case had been re-filed under a different cause number. That motion was granted by the trial court on September 13, 2002.

Consequently, the appeal is dismissed for want of jurisdiction.

Per Curiam

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