

NO. 07-06-0007-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL A  
JANUARY 25, 2006

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IN THE INTEREST OF C.L.P., D.R.P., D.J.W.,  
AND K.H.W., MINOR CHILDREN

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FROM THE 223RD DISTRICT COURT OF GRAY COUNTY;  
NO. 33,638; HONORABLE LEE WATERS, JUDGE

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Before REAVIS and CAMPBELL and HANCOCK, JJ.

### **MEMORANDUM OPINION**

Appellant Camron Leroy Pike, Sr. perfected this appeal from the trial court's order terminating his parental rights. On January 13, 2006, the trial court signed an order granting Pike's motion for new trial, sustaining his claim of indigence, and appointing counsel. An order granting a new trial vacates the original judgment appealed from and returns the case to the trial court as if no previous trial or hearing had been conducted. See *Old Republic Ins. Co. v. Scott*, 846 S.W.2d 832, 833 (Tex. 1993); *Long John Silver's*,

Inc. v. Martinez, 850 S.W.2d 773, 777 (Tex.App.–San Antonio 1993, writ dismiss'd w.o.j.).

Thus, there is no final order from which an appeal may be prosecuted.

Accordingly, the appeal is dismissed for want of jurisdiction.

Don H. Reavis  
Justice