

NO. 07-07-0286-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
JULY 25, 2007

TAMRA BARRON MORPHIS, APPELLANT

V.

FRANKLIN DUAINE MORPHIS, APPELLEE

FROM THE COUNTY COURT AT LAW NO. 1 OF LUBBOCK COUNTY;
NO. 2006-533,970; HONORABLE LARRY B. "RUSTY" LADD, JUDGE

Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

MEMORANDUM OPINION

Appellant, Tamra Barron Morphis, perfected this appeal from a final decree of divorce. On July 12, 2007, the trial court granted Morphis's motion for new trial. The legal effect of an order granting a new trial vacates the original judgment and returns the case to the trial court as if no previous trial had been conducted. *Old Republic Ins. Co. v. Scott*,

846 S.W.3d 832, 833 (Tex. 1993); *see also Markowitz v. Markowitz*, 118 S.W.3d 82, 88 (Tex.App.–Houston [14th Dist.]2003, pet. denied); *Long John Silver’s, Inc. v. Martinez*, 850 S.W.2d 773, 777 (Tex.App.–San Antonio 1993, writ dism’d w.o.j.). Thus, there is no final judgment from which an appeal may be prosecuted.

Accordingly, the appeal is dismissed.

Patrick A. Pirtle
Justice