



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-14-00438-CR

LEONARDO MEJIA HERNANDEZ, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 416th District Court
Collin County, Texas
Trial Court No. 416-82962-2013; Honorable Chris Oldner, Presiding

February 4, 2015

MEMORANDUM OPINION

Before **CAMPBELL** and **HANCOCK** and **PIRTLE, JJ.**

Appellant, Leonardo Mejia Hernandez, filed a notice of appeal challenging his conviction for solicitation to commit sexual assault of a child.¹ The trial court has now granted Appellant a new trial.

¹ TEX. PENAL CODE ANN. § 22.011(a)(2) (West 2011).

When the trial court grants a motion for new trial, it restores the case to its position before the former trial. TEX. R. APP. P. 21.9(b). Without a conviction from which to appeal, we have no jurisdiction to consider Appellant's appeal. See *State v. Bates*, 889 S.W.2d 306, 310 (Tex. Crim. App. 1994); *Waller v. State*, 931 S.W.3d 640, 643-44 (Tex. App.—Dallas 1996, no pet.). Consequently, this appeal is dismissed for want of jurisdiction.

Per Curiam

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