



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

No. 07-15-00431-CR
No. 07-15-00447-CR
No. 07-15-00448-CR
No. 07-15-00449-CR

JONATHAN GOMEZ, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 364th District Court
Lubbock County, Texas
Trial Court Nos. 2012-435,845; 2014-404,346; 2014-404,347; 2014-403,736;
Honorable William R. Eichman II, Presiding

January 27, 2016

MEMORANDUM OPINION

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

Appellant, Jonathan Gomez, appeals his convictions for robbery,¹ burglary of a habitation,² aggravated assault,³ and failure to stop and render aid.⁴ Appellant was

¹ TEX. PENAL CODE ANN. § 29.02 (West 2011).

² TEX. PENAL CODE ANN. § 30.02(c)(2) (West 2011).

³ TEX. PENAL CODE ANN. § 22.02(a)(1) (West 2011).

⁴ TEX. TRANSP. CODE ANN. § 550.021(c)(1)(B) (West Supp. 2015).

sentenced on November 16, 2015. Within thirty days after the date sentence was imposed, Appellant filed a *Motion for New Trial* and an *Amended Motion for New Trial*. See TEX. R. APP. P. 21.4. On January 20, 2016, within its period of plenary power, the trial court granted Appellant a new trial on punishment in the four causes. See TEX. R. APP. P. 21.8(a) (granting the trial court power within seventy-five days after imposing sentence to rule on a motion for new trial).

When the trial court grants a motion for new trial on punishment, it restores the case to its position after the defendant was found guilty. TEX. R. APP. P. 21.9(c). Without any judgments from which to appeal, we have no jurisdiction to consider Appellant's appeals. See *State v. Bates*, 889 S.W.2d 306, 310 (Tex. Crim. App. 1994); *Waller v. State*, 931 S.W.2d 640, 643-44 (Tex. App.—Dallas 1996, no pet.). Consequently, the appeals are dismissed for want of jurisdiction.⁵

Per Curiam

Do not publish.

⁵ On January 21, 2016, Appellant filed a *Motion to Dismiss Appeal* in each cause asserting that this court lacked jurisdiction. However, Appellant did not sign the motions to dismiss. See TEX. R. APP. P. 42.2(a). The motions are, therefore, denied as moot.