



NUMBER 13-11-00444-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

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WILLIAM LOTIN PARKER,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

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On Appeal from the 278th District Court  
of Walker County, Texas.

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## MEMORANDUM OPINION

Before Justices Benavides, Vela, and Perkes  
Memorandum Opinion Per Curiam

Appellant, William Lotin Parker, filed a notice of appeal challenging his conviction. By order signed July 8, 2011, the trial court granted appellant's motion for new trial.

When the trial court grants a motion for new trial, it restores the case to its position before the former trial. See TEX. R. APP. P. 21.9(b). Because there is no conviction to

be appealed, we have no jurisdiction to consider this appeal. See *Waller v. State*, 931 S.W.2d 640, 643–44 (Tex. App.—Dallas 1996, no pet.).

The Court, having examined and fully considered the documents on file and the trial court's order granting a new trial, is of the opinion that the appeal should be dismissed for want of jurisdiction. See *id.* The appeal is hereby DISMISSED FOR WANT OF JURISDICTION.

PER CURIAM

Do not publish. TEX. R. APP. P. 47.2(b).

Delivered and filed the  
25th day of August, 2011.