



**NUMBER 13-17-00325-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN THE INTEREST OF M.S., A CHILD**

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**On appeal from the 444th District Court  
of Cameron County, Texas.**

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## **MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Contreras and Hinojosa  
Memorandum Opinion by Justice Hinojosa**

Appellant, the Office of the Attorney General of Texas, appealed a judgment in a suit affecting parent child relationship signed by the 444th District Court of Cameron County, Texas, on March 28, 2017. Appellant filed a motion for new trial on April 12, 2017, and the trial court granted appellant's motion for new trial on June 20, 2017. Appellant has filed a motion to dismiss appeal on the grounds that there is not a final order from which to appeal.

The granting of a motion for new trial restores the case to its position before the former trial, *Wilkins v. Methodist Health Care Sys.*, 160 S.W.3d 559, 563 (Tex. 2005), and it renders any appeal moot. Accordingly, we dismiss the appeal as moot. See TEX. R. APP. P. 42.3(a), (c); 43.2(f).

LETICIA HINOJOSA  
Justice

Delivered and filed the  
12th day of October, 2017.