



NUMBER 13-17-00554-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**RUTH ALEJEANDRA SANCHEZ-SANCHEZ
AND ANTONIO BONFIL JIMENEZ,**

Appellants,

v.

EDIS MALDONADO,

Appellee.

**On appeal from the 428th District Court
of Hays County, Texas.**

MEMORANDUM OPINION

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

Appellants, Ruth Alejandra Sanchez-Sanchez and Antonio Bonfil Jimenez, perfected an appeal from a judgment signed by the 428th District Court of Hays County, Texas, in cause number 17-1237.¹ Appellants have filed an unopposed amended

¹ This case is before the Court on transfer from the Ninth Court of Appeals in Beaumont pursuant to a docket equalization order issued by the Supreme Court of Texas. See TEX. GOV'T CODE ANN. § 73.001 (West, Westlaw through 2017 R.S.).

motion to dismiss the appeal on grounds the trial court granted a new trial in this cause and accordingly, the appeal is moot. Appellants request this Court dismiss the 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, appellants' motion to dismiss is GRANTED and 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
21st day of November, 2017.