Opinion issued March 16, 2017

In The

Court of Appeals

For The

First District of Texas

NO. 01-16-00697-CR

JAIME JOEL FLORES, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 177th District Court
Harris County, Texas
Trial Court Case No. 1459301

MEMORANDUM OPINION

On August 24, 2016, the trial court sentenced appellant, Jaime Joel Flores, to 17 years in the Institutional Division of the Texas Department of Criminal Justice for the first-degree-felony offense of murder. On the same day, appellant filed a notice of appeal. On September 16, 2016, appellant timely filed a motion for new

trial. The clerk's record contains an order that shows that the trial court granted the motion for new trial. The granting of a motion for new trial restores the case to its position before the former trial. *See* TEX. R. APP P. 21.9(b). The appeal was rendered moot by the order granting a new trial. *See id*.

Accordingly, we dismiss the appeal as moot. *See* TEX. R. APP. P. 43.2(f). We dismiss any pending motions as moot.

We direct the Clerk to issue the mandate within 10 days of the date of this opinion. *See* TEX. R. APP. P. 18.1.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Brown and Lloyd.

Do not publish.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