



Saadeh v. Reed-Whitley

2006 | Cited 0 times | Court of Appeals of Texas | September 14, 2006

Before REAVIS and CAMPBELL and HANCOCK, JJ.

MEMORANDUM OPINION

Appellant Constantine Saadeh, M.D. perfected this appeal from the trial court's judgment and amended judgment in favor of appellees Paula Reed-Whitley and Eddie Whitley. On August 25, 2006, the trial court granted Saadeh's motion for new trial and vacated the judgment and amended judgment. An order granting a new trial vacates the original judgment appealed from and returns the case to the trial court as if no previous trial or hearing had been conducted. See *Old Republic Ins. Co. v. Scott*, 846 S.W.2d 832, 833 (Tex. 1993); *Long John Silver's, Inc. v. Martinez*, 850 S.W.2d 773, 777 (Tex.App.-San Antonio 1993, writ dism'd w.o.j.). Thus, there is no final judgment from which an appeal may be prosecuted.

Accordingly, the appeal is dismissed for want of jurisdiction.

