

ARKANSAS COURT OF APPEALS

DIVISION III
No. CACR08-408

FREDERICK DWAYNE MASON
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered January 14, 2009

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT,
SECOND DIVISION
[NO. CR-07-1780]

HONORABLE CHRISTOPHER
CHARLES PIAZZA, JUDGE

REBRIEFING ORDERED

LARRY D. VAUGHT, Chief Judge

Following a jury trial, appellant Frederick Dwayne Mason was found guilty of two counts of aggravated robbery (with a firearm), two counts of theft of property (with a firearm), second-degree battery, and being a habitual criminal. He was sentenced to fifty-five years in the Arkansas Department of Correction.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Arkansas Supreme Court Rule 4-3(j), Mason’s counsel has filed a motion to withdraw on the ground that the appeal is wholly without merit. The motion is accompanied by an abstract of the proceedings below and a brief in which counsel purportedly explains why there is nothing in the record that would support an appeal. The clerk of this court provided Mason with a copy of his counsel’s brief and notified him of his right to file a pro se statement of points for reversal. Mason did not file a pro se brief.

We conduct a full examination of the proceedings to decide if the case is “wholly frivolous” after Mason’s counsel submits a no-merit brief. *Anders*, 386 U.S. at 744. We undertake this thorough review of the full record regardless of whether Mason identifies the trial court’s errors. Our review of the record reveals that two adverse rulings were not discussed in the no-merit brief. These omissions are violations of *Anders* and Arkansas Supreme Court Rule 4-3(j). Therefore, we deny Mason’s counsel’s motion to withdraw and remand for rebriefing so that counsel may file a compliant no-merit brief.

Rebriefing ordered.

HART and MARSHALL, JJ., agree.