

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2007*

**MARCUS L. COLSTON,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D06-3413

[June 6, 2007]

PER CURIAM.

*Affirmed. See Carratelli v. State*, 915 So. 2d 1256 (Fla. 4th DCA 2005);  
*Jenkins v. State*, 824 So. 2d 977 (Fla. 4th DCA 2002).

WARNER, KLEIN and HAZOURI, JJ., CONCUR.

\* \* \*

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Michael L. Gates, Judge; L.T. Case No. 03-10195 CF10B.

Patrick C. Rastatter of Glass & Rastatter, P.A., Fort Lauderdale, for appellant.

No appearance required for appellee.

***Not final until disposition of timely filed motion for rehearing.***