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DISTRICT III

February 24, 2026

To:

Hon. Marc A. Hammer
Circuit Court Judge
Electronic Notice

John VanderLeest
Clerk of Circuit Court
Brown County Courthouse
Electronic Notice

John Blimling
Electronic Notice

Angela Conrad Kachelski
Electronic Notice

Andres Garcia-Saenz 712696
Dodge Correctional Institution
P.O. Box 700
Waupun, WI 53963

You are hereby notified that the Court has entered the following opinion and order:

2024AP151-CRNM State of Wisconsin v. Andres Garcia-Saenz
(L. C. No. 2020CF643)

Before Stark, P.J., Hruz, and Gill, JJ.

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

Andres Garcia-Saenz appeals from a judgment that convicted him of first-degree intentional homicide, following a jury trial, and sentenced him to life in prison with eligibility for extended supervision after 40 years. Attorney Angela Kachelski has filed a no-merit report seeking to withdraw as appellate counsel. *See* WIS. STAT. RULE 809.32 (2023-24).¹ The no-merit report sets forth the procedural history of the case and addresses potential issues

¹ All references to the Wisconsin Statutes are to the 2023-24 version.

including the circuit court's denial of Garcia-Saenz's suppression motion, trial counsel's performance regarding waiver of a potential *Miranda*² violation, an alleged *Brady*³ violation, the sufficiency of the evidence to support the verdict, and the court's exercise of discretion in setting eligibility for extended supervision. Garcia-Saenz was advised of his right to respond to the no-merit report, but he has not filed a response. Having independently reviewed the entire record as mandated by *Anders v. California*, 386 U.S. 738, 744 (1967), we conclude there are no arguably meritorious issues for appeal. Therefore, counsel shall be allowed to withdraw, and the judgment of conviction will be summarily affirmed. *See* WIS. STAT. RULE 809.21.

The complaint alleged that Garcia-Saenz stabbed and bludgeoned Douglas Campbell to death following a sexual encounter in Campbell's home, sometime between the evening of March 16, 2020, and the morning of March 17, 2020. For the purpose of this opinion, we need not recount all of the evidence introduced at trial, which counsel thoroughly discussed in her no-merit report. We merely highlight the most significant evidence supporting the verdict and address the potential issues related to that evidence as identified by counsel.

Green Bay Police Officer Lucy Elfman testified that she discovered Campbell's body, riddled with puncture wounds, after being dispatched to Campbell's home for a welfare check at 6:19 p.m. on March 17, 2020. Responding paramedics confirmed that Campbell was dead and that his body was already in rigor mortis. Medical examiner Dr. Agnieszka Rogalska testified that Campbell had died from a combination of at least 222 sharp force and 44 blunt force injuries to

² *See Miranda v. Arizona*, 384 U.S. 436, 458 (1966).

³ *See Brady v. Maryland*, 373 U.S. 83, 87 (1963).

his head, torso, neck, and extremities, including a significant injury to the skull consistent with a hammer blow.

Prior to trial, Garcia-Saenz moved to exclude a series of maps generated by an application called Cell Hawk showing that Garcia-Saenz's phone had been in range of the Campbell's house during several hours of the timeframe in which Campbell was alleged to have died. Garcia-Saenz argued that the State had failed to timely disclose the maps during discovery. The circuit court ruled the maps were admissible, however, as demonstrative evidence of cell phone data that had been previously disclosed. We agree with counsel's analysis that the circuit court did not erroneously exercise its discretion by admitting the map evidence.

The cell phone mapping data, placing Garcia-Saenz (by inference) at the scene of the murder, was corroborated by several other sources. For instance, a neighbor of Campbell's testified that, between 7:15 and 7:45 p.m. on March 16, someone matching Garcia-Saenz's general description knocked on his door looking for Campbell's address. A friend of Garcia-Saenz testified that he went to Campbell's house the morning of March 17 to jump a dead battery in Garcia-Saenz's car.

The State also introduced a portion of Garcia-Saenz's videotaped statement to police in which Garcia-Saenz admitted to knowing Campbell, before asking for a lawyer. Upon trial counsel's advice, Garcia-Saenz then strategically waived any potential claim of a *Miranda* violation and sought to introduce the remainder of his statement to police—including post-invocation comments Garcia-Saenz made about having had sex with Campbell on the evening of March 16 and leaving Campbell alive the following morning. We agree with appellate counsel's analysis that trial counsel's advice did not constitute ineffective assistance

because it was arguable whether Garcia-Saenz had reinitiated the interview himself after requesting counsel, and his denials to police of having killed Campbell could be sufficiently helpful to his case to justify waiving the potential issue.

Officer Elfman further testified that Campbell's house appeared to have been ransacked, with drawers pulled out and objects all over the floor. Law enforcement conducted a trash pull at Garcia-Saenz's residence, and it found a box addressed to Campbell, white shoes that appeared to have blood on them, an AT&T bill addressed to Campbell that had what appeared to be spots of blood on it, and several credit cards belonging to Campbell. They also found a pair of jeans with red stains on them in Garcia-Saenz's garbage. Separately, law enforcement recovered purple glass fragments in Garcia-Saenz's car that matched broken purple glass at Campbell's house.

A DNA analyst testified that blood samples recovered from a knife and hammer found in Campbell's house matched Campbell's DNA profile, and other biological samples recovered from the knife and the handle of the hammer matched Garcia-Saenz's DNA profile. Garcia-Saenz's DNA was also recovered from under several of Campbell's fingernails. Blood on one of the shoes and the jeans found in Garcia-Saenz's trash matched Campbell's DNA profile. We agree with counsel's analysis that this strong DNA evidence—in conjunction with the medical examiner's testimony, the cell phone evidence, the surveillance video, the other items recovered from Garcia-Saenz's trash and car, and Garcia-Saenz's own statement—was sufficient to support the verdict.

During the trial, Garcia-Saenz questioned whether law enforcement officers had turned over all photographs taken of the trash and of Garcia-Saenz during the investigation. The State

advised the circuit court that it had turned over everything except for a single photo of Garcia-Saenz, which had been deleted. We agree with counsel's analysis that the circuit court properly found there was no constitutional discovery violation because there was no showing that the photograph would have had any exculpatory value.

Finally, we agree with counsel's analysis that the circuit court properly exercised its discretion by setting Garcia-Saenz's parole eligibility at 40 years. After hearing from the parties, the court discussed how relevant sentencing factors, including the severity of the "gruesome and violent" offense, and Garcia-Saenz's relative youth, lack of criminal history, and other aspects of his character, applied to the court's stated sentencing goal of protecting the public, when there was no explanation or logic for why Garcia-Saenz had committed the offense.

Our independent review of the record discloses no other potential issues for appeal, including during voir dire, during counsel's arguments, or in the jury instructions. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders*. Accordingly, counsel shall be allowed to withdraw, and the judgment of conviction will be summarily affirmed. *See* WIS. STAT. RULE 809.21.

Upon the foregoing,

IT IS ORDERED that the judgment of conviction is summarily affirmed pursuant to WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Angela Kachelski is relieved of any further representation of Andres Garcia-Saenz in this matter pursuant to WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals