



OFFICE OF THE CLERK  
**WISCONSIN COURT OF APPEALS**

110 EAST MAIN STREET, SUITE 215  
P.O. BOX 1688  
MADISON, WISCONSIN 53701-1688  
Telephone (608) 266-1880  
TTY: (800) 947-3529  
Facsimile (608) 267-0640  
Web Site: [www.wicourts.gov](http://www.wicourts.gov)

**DISTRICT II**

September 13, 2023

To:

Hon. Anthony G. Milisauskas  
Circuit Court Judge  
Electronic Notice

Rebecca Matoska-Mentink  
Clerk of Circuit Court  
Kenosha County Courthouse  
Electronic Notice

Winn S. Collins  
Electronic Notice

Michael E. Covey  
Electronic Notice

Alex G. Delgado-Cintron, #704974  
Waupun Correctional Inst.  
P.O. Box 351  
Waupun, WI 53963-0351

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

---

2022AP1625-CRNM      State of Wisconsin v. Alex G. Delgado-Cintron  
(L.C. #2019CF1608)

Before Neubauer, Grogan and Lazar, 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).**

Alex G. Delgado-Cintron appeals a judgment of conviction for one count of first-degree intentional homicide using a dangerous weapon as party to a crime and one count of attempted first-degree intentional homicide using a dangerous weapon as party to a crime. Delgado-Cintron's appointed appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967). Delgado-Cintron was

---

<sup>1</sup> All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

advised of his right to file a response and requested an extension of time to do so but has not responded. Upon consideration of the no-merit report and following an independent review of the record as mandated by *Anders* and RULE 809.32, we conclude there is no arguable merit to any issue that could be raised on appeal. We therefore summarily affirm the judgment. *See* WIS. STAT. RULE 809.21(1).

During the week-long jury trial, the State presented considerable evidence that Delgado-Cintron had executed Omar and severely wounded Adam with a firearm just after midnight on December 5, 2019.<sup>2</sup> Adam testified that he was at his brother Omar’s apartment when Omar told him someone who owed him money would be coming over. Adam knew Omar had sold drugs to this woman in this past, and he believed he planned to sell her more that night. Omar met her in the kitchen, and she told Omar she forgot the money and needed to go get it. Omar told her he would leave the door unlocked for her.

The woman, later identified as Maria Patino, returned with a masked man wearing dark clothes and gloves. The man immediately opened fire, wounding Omar and Adam. The man asked where the “bricks” were, checked their pockets and then fired more shots at them while they were on the floor. Adam survived six gunshot wounds and was able to dial 9-1-1. Omar was killed at the scene.

Patino, who was dating Delgado-Cintron, testified he came up with the plan to rob Omar and Adam. She further testified she believed Delgado-Cintron stole the murder weapon from her

---

<sup>2</sup> Pursuant to the policy underlying WIS. STAT. RULE 809.86, we refer to the victims using pseudonyms.

ex-husband, and she identified Delgado-Cintron as the shooter.<sup>3</sup> Delgado-Cintron's mother testified that Delgado-Cintron was the registered owner of a car that bore striking similarities to the vehicle captured on a surveillance video near the scene of the shootings. The surveillance video showed that around the time of the shootings, one individual exited the car, then a second individual followed toward the apartment's entrance. A short time later, both individuals ran from the entrance back to the vehicle and left. Patino identified those individuals as herself and Delgado-Cintron.

After the shootings, Delgado-Cintron's mother sold Delgado-Cintron's car and borrowed money so that Patino and Delgado-Cintron could buy one-way tickets to Puerto Rico. Moreover, Patino testified that Delgado-Cintron had confessed to his mother that he was the one who had shot Omar and Adam.<sup>4</sup> According to Patino, Delgado-Cintron told his mother that when he saw one of the men he shot was still alive, he shot him in the head. He also asked his mother for a ride to the hospital in Milwaukee where Adam had been taken "so he can leave no witnesses."

The jury returned guilty verdicts on both counts. At sentencing, the circuit court considered the gravity and nature of the offenses, protection of the public, and Delgado-Cintron's personal and criminal history. The court imposed a life sentence without the

---

<sup>3</sup> Though Patino testified that she was hiding in a corner and she did not see Delgado-Cintron hold or fire the gun, she did state that Delgado-Cintron was the shooter and that she saw him throw the firearm into the back seat after they ran out of the apartment to his car.

<sup>4</sup> At trial, however, Delgado-Cintron's mother testified it was Patino who had said Delgado-Cintron committed the shootings. She claimed she had told police Delgado-Cintron confessed because she felt pressured and intimidated. Similarly, a friend of Delgado-Cintron's testified he had heard from other people that Delgado-Cintron shot two people, though he admitted that in prior statements to law enforcement he had said that Delgado-Cintron confessed to him and that he helped Delgado-Cintron hide a firearm after the shootings.

possibility of extended supervision on the homicide count, with a consecutive sentence of thirty-five years' initial confinement and twenty years' extended supervision for the attempted homicide. Delgado-Cintron stipulated to the State's \$19,337.87 restitution request on behalf of the victims.

The no-merit report addresses whether there would be any non-frivolous basis to challenge: (1) the sufficiency of the evidence to support the convictions; (2) the circuit court's exercise of its sentencing discretion; and (3) the performance of trial counsel. Our review of the appellate record satisfies us that the no-merit report sufficiently analyzes these issues and properly concludes that any challenge based upon them would lack arguable merit. Our review of the appellate record discloses no other potentially meritorious issues for appeal.

Therefore,

IT IS ORDERED that the judgment of conviction is summarily affirmed. *See* WIS. STAT. RULE 809.21(1).

IT IS FURTHER ORDERED that Attorney Michael E. Covey is relieved of further responsibility for representing Alex G. Delgado-Cintron in this matter. *See* 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*