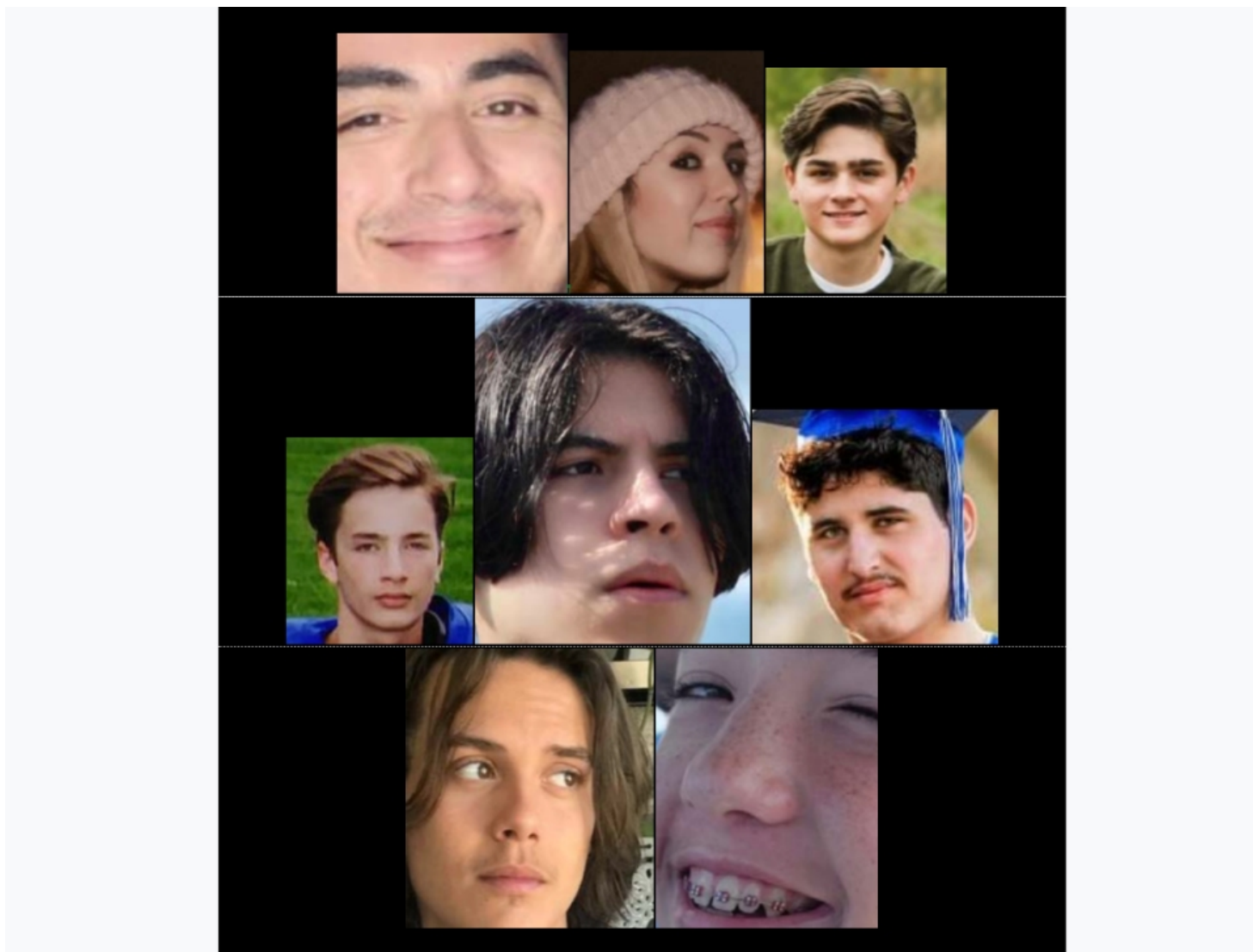


Snapchat Sued By Temecula Family And Others Who Lost Kids To Fentanyl

"Snapchat has become the 'new street corner in the shady part of town' where kids ... know they can go to buy drugs," an attorney said.

By Toni McAllister, Patch Staff
Oct 14, 2022 4:18 pm PDT | Updated Oct 15, 2022 7:59 am PDT

Reply (52)



The eight victims who died (shown) believed they were purchasing non-lethal medications, like Percocet or Xanax, but the pills were actually fentanyl pressed to look like prescription medications. (Social Media Victims Law Center)

TEMECULA, CA — Santa Monica-based Snap Inc., the parent company of Snapchat, is being sued by families — including one in Temecula — who lost children to fake "medications" containing fentanyl. The deadly drug was peddled to their kids using the popular instant messaging app and the company did nothing to stop it, the suit alleges.

Snap countered that "several" allegations contained in the lawsuit are "wholly inaccurate." In an emailed statement, the company said its cutting-edge technology shuts down drug dealers' accounts and redirects Snapchatters "to resources from experts about the dangers of fentanyl."

Snapchat's disappearing messages "encourage, enable and facilitate" illegal drug sales to youth users on the social media platform, according to the complaint filed Oct. 13 in Los Angeles Superior Court by the Seattle-based [Social Media Victims Law Center](#) and New York-based C.A. Goldberg, PLLC.

[The parents and sisters of Alexandra Capelouto](#) are among nine families represented in the suit. Capelouto, 20, was an Arizona State University student, home for the holidays with her family in Temecula during the December 2019 winter break. The full-academic-

scholarship Sun Devil who dreamt of being a social worker went to bed late on Dec. 22. She was found dead in her bedroom the next morning by her mother.

Capelouto had purchased what she believed to be oxycodone from a drug dealer on Snapchat, according to a law enforcement investigation. The fake medication — pressed to look like an oxycodone pill — was actually fentanyl and it killed her.



Alexandra Capelouto (The Capelouto Family)

Since their daughter's death, Matt and Christine Capelouto are committed to changing the conversation about fentanyl poisoning victims — and dealers who sell the dangerous drug. [The Riverside County District Attorney's office is now pursuing murder charges against dealers](#) whose products kill. More than two dozen cases are pending. The call for tougher punishment in the county was largely led by the Capeloutos, and they continue their campaign on a national level.

“Our daughter did not overdose,” [Matt said during a February 2021 interview](#). “She was poisoned to death.”

[Brandon Michael McDowell](#), 23, of Riverside supplied the lethal drug to Alexandra. He pleaded guilty to a federal charge of possession with intent to distribute fentanyl under a plea agreement with the Offices of the U.S. Attorneys.

Counterfeit drugs laced with fentanyl is a national crisis that is affecting kids as much, if not more, than adults — and Snapchat is a guilty player, according to Matthew P. Bergman, founding attorney of SMVLC.

“As much as Snap wants us to believe that this is a social media issue, it is in fact a Snapchat issue, caused by Snap’s inherently flawed marketing strategies and product designs, which encourage, facilitate and assist online drug dealers with finding minors and young adults,” he said.

“Snapchat has become the ‘new street corner in the shady part of town’ where kids and teenagers know they can go to buy drugs and drug dealers can escape punishment. While it is obviously wrong to buy illegal drugs of any kind, these kids didn’t deserve to die for one bad decision,” Bergman continued.

Of the nine families represented in the lawsuit, eight of them lost children while one underage victim survived. All of the victims purchased drugs from dealers who they connected with on Snapchat, according to Bergman.

Like Alexandra Capelouto, the victims believed they were purchasing non-lethal medications — like Percocet, Xanax or oxycodone — but the pills were actually fentanyl pressed to look like prescription medications and in doses lethal enough to kill multiple people with a single pill, Bergman alleged.

The complaint contends that Snapchat enables drug dealers to publish “drug menus” and other evidence that disappears within 24 hours — erasing all evidence of sales and crimes. The platform also gives dealers a never-ending source of youth customers, obstructs parental supervision, and enables peddlers to locate and access nearby minors and young adults.

Carrie Goldberg, founder of C.A. Goldberg, PLLC and co-counsel, referred to Snapchat as “the Snap Drug Cartel.”

“The design of Snapchat ... is irresistible to drug dealers,” she said. “We are all hearing about kids being poisoned from fentanyl-laced pills they buy online. These transactions aren’t happening on the dark web. The vast majority of the cases we’ve seen involve kids buying

the lethal pills on Snap."

In an emailed statement from Snap Inc., the company said, "The trafficking of fake prescription pills containing fentanyl is an urgent national crisis. We are devastated that these counterfeit drugs have taken the lives of so many people, and our hearts go out to families who have suffered unimaginable losses. We are committed to bringing every resource to bear to help fight this national crisis, both on Snapchat and across the tech industry overall.

"Several allegations in the complaint appear to be wholly inaccurate. While we can't comment specifically on active litigation, we can share all the progress we have made in this area. We use cutting-edge technology to proactively find and shut down drug dealers' accounts, and we block search results for drug-related terms, instead redirecting Snapchatters to resources from experts about the dangers of fentanyl. We have also expanded our support for law enforcement investigations, promoted in-app educational videos warning about the dangers of counterfeit pills that have been viewed over 260 million times on Snapchat, and are partnering with the Ad Council, non-profit organizations, and other platforms on an unprecedented national public awareness campaign that will launch next week," the Snap Inc. statement said.

In addition to the Capelouto family, SMVLC and CA Goldberg PLLC filed the complaint on behalf of the families of Alexander Neville, 14, from San Diego, Calif.; Daniel Puerta, 16, from Santa Clarita, Calif.; Jeff Hernandez, 17, from Elk Grove, Calif.; Dylan Kai Sarantos, 18, from Los Angeles, Calif.; Devin Noring, 19, from Hastings, Minn.; Jack McCarthy, 19, from Birmingham, Mich.; Alexandra Capelouto, 20 from Temecula, Calif.; and Daniel (Elijah) Figueroa, 20, from Seal Beach, Calif.

The complaint also includes a 16-year-old girl, identified only as A.B., who survived a fentanyl overdose but continues to use Snapchat without her parents' consent.

Read more about the victims, provided by accounts from the families and attorneys:

Alexander Neville, 14, from San Diego, California



Photo of Alexander Neville contained in the complaint.

Alexander was an outgoing boy who loved skateboarding, video games and playing with his little sister. He had a keen interest in World War II and the Civil War and wanted to become a historian.

On June 22, 2021, Alexander went to get a haircut, have lunch and hang out with his friends. He returned home just before 9 p.m. and went up to his bedroom to go to sleep. When his mother, Amy, went to wake him up the next morning for an orthodontist appointment, she found her son laying lifeless on his bedroom floor.

San Diego Narcotics Task Force Team 10 notified Alexander's parents that the pills their son had taken were 100 percent fentanyl. Snap was unresponsive to multiple subpoenas despite notice of the death of Alexander and the fact that one of its users was selling lethal doses of fentanyl to children. It took three subpoenas for Snap to respond.

Only then was it discovered that Alexander connected with a Snapchat dealer called “Smokxy” who sold Alexander fentanyl pills instead of the oxycodone that Alexander believed he was purchasing.

Daniel Puerta, 16, from Santa Clarita, California



Photo of Daniel Puerta contained in the complaint.

Daniel was a sensitive and intelligent boy who loved sports and hanging out with friends. People described him as an old soul.

On the evening of March 29, 2020, Daniel went into his father’s home office to let him know that he was leaving to take their dog, Birdy, for a walk. At around 11:30 p.m., Daniel hugged his father, Jamie, goodnight and went to bed.

The next morning, his father went to wake Daniel up and found him unconscious in bed. Jaime rushed over and shook his son, causing black bile to spill out of his mouth. Daniel was rushed to the hospital where doctors told him that Daniel had zero brain function. Six days later, his family removed him from life support.

The half a pill recovered from Daniel’s bedroom had been taken into evidence and turned out to be 100 percent fentanyl, resulting in complete loss of brain function.

The investigation of Daniel’s death found that he had met a drug dealer through Snapchat.

Jeff Hernandez, 17, from Elk Grove, California



Photo of Jeff Hernandez contained in the complaint.

Jeff was described by teachers as one of the greatest thinkers they’d ever taught. He was an honor roll student, a self-taught auto mechanic and a star athlete who excelled in football, baseball, basketball and boxing.

On June 28, 2021, Jeff returned home from a night of hanging out with friends, made himself a bowl of fried rice and then told his mom goodnight before going to bed.

The next morning his grandmother, Rosine, who was always his ride to work, stopped by his room to let him know that she was ready to go, but he didn’t answer. After several attempts at calling him, she opened his bedroom door only to find his lifeless body lying on his bed.

Police were able to deduce that Jeff died of fentanyl poisoning after recovering blue powder from a bowl in his room, which turned out to be 100 percent pure fentanyl.

Snap eventually responded to a subpoena that showed that Jeff was talking to Snapchat drug dealer “Sal” prior to his death. What police learned from data on his devices is that Jeff attempted to purchase “Percocet” from the Snapchat dealer, which the dealer delivered to Jeff’s work.

Dylan Kai Sarantos, 18, from Los Angeles, California



Photo of Dylan Kai Sarantos contained in the complaint.

Dylan was an artistic and creative boy who loved to make music and design printed T-shirts and sweatshirts. Throughout his junior and the first part of his senior year of high school, Dylan worked part-time at a fast food restaurant in hopes of buying his first car.

On May 8, 2020, Dylan’s mother Cindy drove her partner, Julian, to get tested for COVID-19 and run errands. When the two returned home, Cindy became curious as to why Dylan hadn’t come down from his room.

Cindy went to check on Dylan and saw him wearing headphones, so she assumed he was awake and just couldn’t hear her. She noticed her son’s toes were a deep shade of blue, and running to him, tried to wake him while calling his name. Cindy felt his ice-cold skin and rigid body immediately, saw that his face was pale, and that foam was exiting his airway. Cindy checked him for a pulse even though, as a nurse, she knew that was already gone.

Dylan died of fentanyl poisoning one month after his 18th birthday.

Cindy found a few pills in Dylan’s jacket pocket. She searched Dylan’s phone and found that he had purchased the drugs from a Snapchat drug dealer called “gofauni.” Dylan had found this dealer through Snapchat and, at the dealer’s request, used Venmo to pay for what he believed was ecstasy. Instead, the Snapchat dealer sold Dylan pills laced with fatal doses of fentanyl.

After Daniel’s death, “gofauni” continued posting stories on Snapchat depicting drug menus, guns and money withdrawals to boast his successful Snapchat drug business and is under investigation for another Snapchat-related death that occurred just four days later.

Devin Norring, 19, from Hastings, Minnesota



Photo of Devin Norring contained in the complaint.

Devin was a shy, down-to-earth young man, who always had a spare moment to help those in need. He loved making music, hanging out with friends and playing sports.

On Saturday morning, April 3, 2020, the Norring family was cleaning their home when Bridgette asked her son Caden to wake up Devin, who was sleeping in later than usual. Caden went to his brother's room to find Devin's skin was blue and foam on his lips, having died of fentanyl poisoning.

The investigation into Devin's death found that he and his friend, Jacob, had connected with a drug dealer through Snapchat. The boys purchased what the dealer was advertising on Snapchat as "Percocet." But instead, the Snapchat dealer gave them 100 percent pure fentanyl pills.

Jack McCarthy, 19, from Birmingham, Michigan



Photo of Jack McCarthy contained in the complaint.

Jack was described as a smart and outgoing child who dreamt of going to college and majoring in political science, so he could make a positive difference in the world. He enjoyed wrestling, martial arts and UFC fighting as well as writing music and playing his guitar.

He became addicted to Snapchat as a minor and struggled throughout high school because of the mental and physical harms that began with his unauthorized use of Snapchat. Upon graduation from high school, Jack went to college and earned a 3.4 GPA.

On the evening of September 24, 2021, Jack told his mother Kathy that he was going over to his friend's house to hang out. He returned home later that evening. The next morning, Kathy found Jack slumped over in a sitting position on the kitchen floor. He was dead.

Police found an unmarked prescription bottle in his pocket, containing what appeared to be "Xanax" and "Adderall." They also found messages he had exchanged with a Snapchat drug dealer "detroitwealth" the prior night.

While "portions of the conversation were missing," according to police reports, they found Jack had purchased what he thought were prescription drugs from "detroitwealth." Jack attempted to purchase 20 Xanax, 10 Adderall, and one oxycodone. Jack took the one pill he believed to be Oxycodone and died of fentanyl poisoning shortly thereafter.

Police raided "detroitwealth's" home and discovered huge amounts of illicit drugs and guns, along with 26 blue pills pressed to look like oxycodone but that tested positive for fentanyl instead.

Alexandra Capelouto, 20 from Temecula, California



Photo of Alexandra Capelouto contained in the complaint.

Alex was a talented and outgoing child. From an early age, she excelled in everything from academics to sports and extracurricular activities. She worked hard in school and was eventually accepted into Arizona State University on a full academic scholarship and dreamt of being a social worker.

In December 2019, Alex came home from college to spend her winter break with her parents and sisters. On the 22nd, she spoke on the phone with her boyfriend late into the evening, after which her family thought she went to bed. The next morning, Alex's mother found her dead. Police later confirmed that Alex died from fentanyl poisoning.

The police investigation showed that she had met a drug dealer through Snapchat. Using Snap Map, the dealer drove to Alex's home and gave her what she believed to be "oxycodone," but was actually a fentanyl pill. Officers at the Riverside Police Department along with the District Attorney have subpoenaed Snapchat for records regarding this case and federal charges are underway against the dealer.

Daniel (Elijah) Figueroa, 20, from Seal Beach, California



Photo of Daniel (Elijah) Figueroa contained in the complaint.

Elijah had a heart of gold and even bigger dreams. He wanted to become an entrepreneur and eventually start charitable businesses with the goal of funding global missions.

Over the summer of 2020, protests were occurring all over the nation and Elijah's grandmother, Albertina, was nervous staying home alone. On September 15, Elijah went to stay at his grandmother's home to keep her company.

Early the next morning, Albertina woke up to use the restroom and walked past Elijah's room. She noticed that his lights were on and then saw his body atop the bed with his knees on the floor like he was praying but unresponsive. She immediately called 911, and when Long Beach police officers arrived, he had no pulse and could not be resuscitated.

Detectives served Snap with two subpoenas. Snap failed to comply with the first subpoena claiming it was too broad. The second time police requested information, Snap complied, though it took the maximum time allowed — one month — to do so.

Detectives learned that Elijah had connected with Snapchat drug dealer "Arnoldo_8286" purportedly selling "Percocet." Elijah attempted to purchase "Percocet" and received 100 percent fentanyl instead.

"Arnoldo_8286" and Snap continued to profit from this Snapchat drug dealing business from September 2020 to April 2021, despite notice from the police and three separate notifications Elijah's mother Perla sent to Snap in late 2020 and early 2021. Snap did not shut down the dangerous account until April 16, 2021, seven months after Elijah's death and four months after receipt of Perla's first notification, yet less than 24 hours after Business Insider interviewed Snap and asked why the account had not been taken down.

"A.B." is a 16-year-old and from New Mexico

A.B. was always a very outgoing and positive child who enjoyed swimming, hiking, crafts and family outings. She also loved animals and wanted to start a pet shelter to rescue and care for stray animals.

A.B. received her first phone when she was 11 years old; for safety reasons, it could not be used for social media.

When she was 12, A.B. opened her first Snapchat account, without her parents' knowledge or consent, eventually opening four or five different Snapchat accounts using the same email address and phone number for each.

A.B.'s secret use of Snapchat quickly developed into a dependency and coincided with a steady decline in her mental health, including anxiety, depression, exhaustion and related stresses.

Eventually, Snapchat began recommending her to strangers, many adult males, via its Quick Add feature. A.B. was 13 when Snap exposed her to drug content, including dealer solicitations and exploitation.

When her parents tried to restrict and stop her access to Snapchat, she became angry, suffered from extreme depression and defensiveness. In 2021, at the age of 15, A.B. ran away and was living on the streets with a man she met through Snapchat.

On December 28, 2021, police contacted A.B.'s parents to tell them she was in the hospital as the result of a fentanyl overdose.

A.B. returned home and is currently living with her parents. However, like millions of other parents, have no means to keep her off Snapchat for fear that she could run away again and possibly suffer another fentanyl poisoning.