Anesthesia Killed Vegas Woman During Cosmetic Surgery

Cristina Silva, AP

A husband and wife who performed an illegal buttocks enhancement surgery that resulted in a Las Vegas woman's death are expected to plead guilty to manslaughter despite an autopsy report that shows the death was accidental. Elena Caro, 42, died from an allergic reaction to the tumescent anesthesia commonly used in cosmetic surgery procedures, Clark County Coroner Mike Murphy said Friday.

It is unlikely that Ruben Matallana-Galvas and Carmen Torres-Sanchez would be able to successfully fight the criminal case against them because the death occurred during an illegal operation in which proper safety procedures were not followed, according to Matallana-Galvas' defense attorney, Scott Coffee. The couple will plead guilty to reduced charges when they return to court under a plea deal, he said.

Matallana-Galvas knows his makeshift medical office did not have the proper tools to care for Caro, Coffee said. "The doctor didn't take the actions that we hope he would take in light of the bad reaction," he said. "He feels terrible for what happened and he wants to take responsibility for what he did." Matallana-Galvas and Torres-Sanchez are charged with multiple crimes for Caro's death, including second-degree murder and practicing medicine without a license. They pleaded not guilty in May and were scheduled to stand trial in February.

Prosecutors have been working to avoid trial by persuading the husband and wife to plead guilty to manslaughter and practicing without a medical license. Matallana-Galvas attempted to go along with the deal during a hearing last week. He withdrew his not guilty plea and pleaded guilty, but the agreement was dropped when Torres-Sanchez refused to plead guilty. She apparently changed her mind, but is expected to take the deal at the hearing scheduled for Thursday.

Under the plea deal, Matallana-Galvas and Torres-Sanchez could each serve up to nine years, Coffee said. A lawyer representing Torres-Sanchez could not be reached for comment. The husband and wife conducted the procedure on Caro in a temporary medical clinic in the back of a Las Vegas tile shop and were not licensed to practice medicine anywhere in the United States. Coffee said the autopsy report did not come as a surprise.

"The case is pretty much exactly what we thought it was from the beginning, which is it's a medical procedure where no one intended to do harm to this woman whatsoever," he said. Josh Tomsheck, a former Clark County chief deputy district

attorney, said the autopsy report wouldn't bother him if he was prosecuting the case. "It's not going to be an issue for the state," he said. "They are saying essentially that there was a felony committed and during the course of that felony the person died. It doesn't matter whether it's intentional or accidental."

Tumescent anesthesia is used to make a specific part of a patient's body numb. Unlike general anesthesia, it does not put the patient to sleep. "It decreases the pain and it decreases the bruising," said Dr. Jeffrey Roth, a Las Vegas plastic surgeon who also uses general anesthesia on patients to ensure they don't feel any pain and monitors their progress with the help of a certified anesthetist. "In other words, we are not going to do surgery in the back of a tile shop."

Caro was found roaming the streets in agony less than four hours after Matallana-Galvas and Torres-Sanchez injected her buttocks with a gel substance on April 9. She was taken to a hospital, where she died that day. Matallana-Galvas and Torres-Sanchez allegedly cleared out their medical office after treating Caro and headed to McCarran International Airport in Las Vegas, where they attempted to flee to their native Colombia, according an arrest report. The husband and wife had purchased plane tickets to return to Colombia on April 22 but were trying to catch an earlier flight. They were arrested at the airport.

Matallana-Galvas told detectives that Caro walked away from his office after the procedure. He said he was a homeopathic doctor in Colombia and did not have the proper equipment to perform the buttocks procedure.

Caro was married and had a teenage daughter. A week before her death, she had received facial Botox injections from Matallana-Galvas. When no problems arose, she returned for the buttocks injection.

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