



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Allegheny Flight Standards District Office  
101 Towne Square Way  
Suite 201  
Pittsburgh, PA 15227

412-886-2580 Fax: 412-886-2591

August 8, 2010

Ms. Mary Kae Vacsuka

[REDACTED]  
Saltsburg, PA 15681  
[REDACTED]

**Witness Statement For Accident ERA10FA404 N28MR**

**Location of Witness (Latitude, Longitude):** 40.484433,-79.514392 (see photograph below)

Ms. Mary Kae Vacsuka had made a statement to the Pennsylvania State Police and this was a follow-up interview with the witness.

I asked Ms. Vacsuka to show me where she was at the time of the accident. She led me to the walkway just outside the front door of her home. I asked her what direction she was looking and she pointed in a westerly direction.

I asked Ms. Vacsuka why she looked up at the airplane. Ms. Vacsuka stated she heard a noise that made her look up. She said it was a low rumble noise, with a lower pitch than normal for an airplane flying by. Ms. Vacsuka added the sound seemed to be choppy.

I then asked Ms. Vacsuka to tell me what she saw. She said she saw a small airplane, not a passenger plane, going straight down in a slow spin. When I gave her a model airplane to demonstrate what she saw, Ms. Vascuka showed me an aircraft with a nose down about 45 degrees spinning in a counter-clockwise direction, similar to a flat spin. Ms. Vascuka added the aircraft looked so graceful as though it was doing tricks with streams of white smoke coming from both wings with a trail following the path of the aircraft.

Ms. Vacsuka stated she followed the aircraft for about 5-10 seconds before she lost sight of it behind the trees. She then heard a crash and felt the ground shake. Thereafter, she went into the house to call 911. Subsequently, she drove down to the neighbor's home (accident scene) to find it on fire and there was no sign of an airplane or anything that looked like one.

[REDACTED]  
Robert Spahr  
Aviation Safety Inspector





U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Allegheny Flight Standards District Office  
101 Towne Square Way  
Suite 201  
Pittsburgh, PA 15227

412-886-2580 Fax: 412-886-2591

August 8, 2010

Ms. Corina Jo Shondelmyer

[REDACTED]  
Saltsburg, PA 15681  
[REDACTED]

**Witness Statement For Accident ERA10FA404 N28MR**

**Location of Witness (Latitude, Longitude):** 40.484027,-79.520046 (see photograph below)

Ms. Corina Jo Shondelmyer had made a statement to the Pennsylvania State Police and this was a follow-up interview with the witness.

I asked Ms. Shondelmyer to show me where she was at the time of the accident. She led me to the back porch of her home. Ms. Shondelmyer stated she was sitting on her back porch with her children when she heard an engine cutting out. Ms. Shondelmyer described hearing a sequence of sounds associated with the engine. Ms. Shondelmyer stated at first it sounding as though it was running. Then there was no sound as if the engine had stopped running. Subsequently, the engine sounded as though it restarted and then the sound went away again. Thereafter, the engine sounded like it had restarted and was very loud with a high revving sound. Finally, she heard a loud bang and ran out into her yard to see smoking coming from Steve and Rose Mary's home.

I asked Ms. Shondelmyer if she saw the aircraft and she stated he hadn't. Ms. Shondelmyer stated she had looked but didn't see anything, but a large shadow over her house moving in a easterly direction toward Steve and Rose Mary's home (accident scene).

[REDACTED]  
Robert Spahr  
Aviation Safety Inspector









U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Allegheny Flight Standards District Office  
101 Towne Square Way  
Suite 201  
Pittsburgh, PA 15227

412-886-2580 Fax: 412-886-2591

August 8, 2010

Mrs. Barbara A Downey

[REDACTED]  
Saltsburg, PA 15681  
[REDACTED]

**Witness Statement For Accident ERA10FA404 N28MR**

**Location of Witness (Latitude, Longitude):** 40.482662,-79.508043 (see photograph below)

Mrs. Barbara A Downey had made a statement to the Pennsylvania State Police and this was a follow-up interview with the witness.

I asked Mrs. Downey to describe what she had heard and seen pertaining to the accident. Mrs. Downey stated she was in her front yard just outside the front door of her home when she heard a motor sputtering like it was trying to restart. Mrs. Downey stated she looked up to see a small airplane in level flight headed in a Westerly direction. Shortly thereafter she saw the aircraft moving erratically with wings teeter-tottering and then the nose pitch over. The aircraft then started to spin in a slow spiral toward the ground, spinning like a whirly bird with the nose of the aircraft at about 45 degrees down.

[REDACTED]  
Robert Spahr  
Aviation Safety Inspector







U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Allegheny Flight Standards District Office  
101 Towne Square Way  
Suite 201  
Pittsburgh, PA 15227

412-886-2580 Fax: 412-886-2591

August 8, 2010

Mr. Timothy Lee Downey

[REDACTED]  
Derry, PA 15627  
[REDACTED]

**Witness Statement For Accident ERA10FA404 N28MR**

**Location of Witness (Latitude, Longitude):** 40.490749,-79.510959 (see photograph below)

Mr. Timothy Lee Downey had made a statement to the Pennsylvania State Police and this was a follow-up interview with the witness.

I asked Mr. Downey to describe what he had heard and seen pertaining to the accident. Mr. Downey stated he was working with Mr. Ryan Glitsky and Mr. Glitsky's Uncle, Mr. John Palko on the Palko farm next to the gate down from the silo. Mr. Downey said they heard a strange sound and saw a small two seater airplane with its nose down in a slow spin toward the ground with smoke coming off the wings. Mr. Downey thought it was doing some stunts like in an air show.

I asked Mr. Downey what was the sound he had heard and he said it sounded like the engine was cutting out. Mr. Downey added that it sound like the pilot was attempting to restart the engine. Mr. Downey said when the aircraft got below the tree line it sounded like the engine restarted. Subsequently, Mr. Downey heard an explosion.

[REDACTED]  
Robert Spahr  
Aviation Safety Inspector







U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Allegheny Flight Standards District Office  
101 Towne Square Way  
Suite 201  
Pittsburgh, PA 15227

412-886-2580 Fax: 412-886-2591

August 8, 2010

Mr. Ryan Glitsky

[REDACTED]  
Derry, PA 15627

[REDACTED]

**Witness Statement For Accident ERA10FA404 N28MR**

**Location of Witness (Latitude, Longitude):** 40.490749,-79.510959 (see photograph below)

I had no record of Mr. Ryan Glitsky making a statement to the Pennsylvania State Police. I learned Mr. Glitsky's was a witness after I had spoken to Mr. Timothy Lee Downey.

I asked Mr. Glitsky to describe what he had heard and seen pertaining to the accident. Mr. Glitsky stated he was working with his Uncle, Mr. John Palko, and Mr. Downey on the Palko farm near the silo. Mr. Glitsky said they heard a weird sound and saw an airplane with its nose down, but not straight down. It was in slow spin with smoke coming off the wings. Mr. Glitsky thought it was doing stunts.

I asked Mr. Glitsky what was the sound he had heard and he said it sounded like the engine was cutting out and it later sounded like the engine was trying to restart. Subsequently, Mr. Glitsky heard an explosion a few seconds after the aircraft went behind the trees.

[REDACTED]  
Robert Spahr  
Aviation Safety Inspector







U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Allegheny Flight Standards District Office  
101 Towne Square Way  
Suite 201  
Pittsburgh, PA 15227

412-886-2580 Fax: 412-886-2591

August 8, 2010

Mr. Gregory Lutz

[REDACTED]  
Saltsburg, PA 15681  
[REDACTED]

**Witness Statement For Accident ERA10FA404 N28MR**

**Location of Witness (Latitude, Longitude):** 40.486706,-79.489013 (see photograph below)

I had no record of Mr. Gregory Lutz making a statement to the Pennsylvania State Police. Mr. Lutz showed up at the accident scene and said he had witnessed the aircraft and wanted to make a statement.

I asked Mr. Lutz to describe what he had heard and seen pertaining to the accident. Mr. Lutz stated he was in his front yard a little after 9:00 AM when he heard an engine spitting and sputtering. When he looked up he saw a twin engine aircraft in level flight headed in a North Westerly direction with smoke coming out of both engines and not from the tips of the wings.

I asked Mr. Lutz to describe the smoke and he stated it was white and was coming out of the engines in little puffs. Mr. Lutz stated the smoke seemed to be associated with the sputtering of the engines, once the engines restarted for about 3 or 4 seconds the smoke stopped. Then the engines started sputtering again and the smoke restarted appearing in puffs.

Mr. Lutz stated shortly thereafter the engines stopped running and it looked like the aircraft came to a stop in midair. Then the aircraft began to drift to the left side and the left wing dipped down as if it was in a left bank. The aircraft started a 45 degree nose down spin about the wings in the counter clockwise direction toward the ground.

Mr. Lutz stated as the aircraft was spinning it had two pencil streams of smoke coming from both engines twisting behind the aircraft like a twisted licorice candy.

Mr. Lutz added he had flown numerous times in his former boss's small aircraft and was a little familiar with smaller aircraft.

[REDACTED]  
Robert Spahr  
Aviation Safety Inspector







U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Allegheny Flight Standards District Office  
101 Towne Square Way  
Suite 201  
Pittsburgh, PA 15227

412-886-2580 Fax: 412-886-2591

August 9, 2010

Mr. Donald Rossi, President  
Mr. Michael Rossi, Vice President  
Mr. Carl Austin, Pilot

Westmorland Mechanical Testing and Research Incorporated

[REDACTED]  
Youngstown, PA 15696-0338  
[REDACTED]

#### **Witness Statement For Accident ERA10FA404 N28MR**

Westmorland Mechanical Testing and Research Incorporated had sold aircraft N28MR to Mr. Edward Sobota on August 3, 2010, thus I asked if I could speak to company representatives who may be familiar with the aircraft. I met with the above gentlemen in the company's conference room.

I asked the gentlemen if there were any known mechanic discrepancies with the aircraft. Mr. Michael Rossi stated there was not and the aircraft had the annual inspection completed in March 2010. Mr. Rossi stated he had flown the aircraft the day of the aircraft was sold and found no problems. Mr. Michael Rossi went on to say the aircraft hadn't been flown in approximately 15 months, since they could not get some circuit breakers needed to complete an airworthiness directive.

I asked if any of them had flown the aircraft. They all stated they were pilots and had flown the aircraft. Mr. Michael Rossi, stated he had flown the aircraft the day the aircraft was flown. I asked them if they have ever used the throw-over-yoke. Mr. Michael Rossi stated he had and it was real hard to do. I asked Mr. Michael Rossi to explain how the throw-over-yoke worked. He stated there was a pin on the control column which had to be pulled out before the yoke could be transferred to the other side.

I asked if the company had completed any long term storage actions on the aircraft during this 15 month period. Mr. Austin stated they had periodically ran the engines about every 30 days. I asked if the company had any additional maintenance records for the aircraft that may not have been provided to Mr. Sobota at the tie of the sell. Mr. Austin said he would provide me with copies of the documents they had.

After the meeting Mr. Austin left the room to obtain the aircraft records. When he returned he provided me the invoice from the last three annual inspection, with the last one being completed by Mr. Lee Munshower on March 4, 2010. There was also a receipt for 12 circuit breakers used to complete AD 2008-13-17, which was accomplished by Mr. Munshower during the annual inspection.

  
Robert Spahr  
Aviation Safety Inspector





U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Allegheny Flight Standards District Office  
101 Towne Square Way  
Suite 201  
Pittsburgh, PA 15227

412-886-2580 Fax: 412-886-2591

August 24, 2010

Ms. Ruth Anssini

[REDACTED]  
Greensburg, PA 15601

40.29176,-79.534446



**Witness Statement For Accident ERA10FA404 N28MR**

Ms. Ruth Anssini called the Allegheny Flight Standards District Office (FSDO) on August 17, 2010 at 11:40 AM. Ms Anssini stated she wanted to make a statement concerning the accident of N28MR. At the time I was not available to speak with Ms. Anssini and I was not able to reach her until August 24, 2010.

I asked Ms. Anssini to tell me what she saw or heard pertaining to the aircraft accident. Ms. Anssini stated she was on her enclosed porch of her residence at a little past 9:00 AM on August 7, 2010, when she heard a very loud airplane. She opened the window to look for the aircraft, however she couldn't see it. Ms. Anssini had nothing else to offer for a statement.

Robert Spahr  
Aviation Safety Inspector