

SUPPORTING DEPOSITION (CPL § 100.20)

PAGE ___ OF ___

THE PEOPLE OF THE STATE OF NEW YORK
- VS.

DEFENDANT(S)

LOCATION OF INCIDENT:

STATE OF NEW YORK _____ COURT

COUNTY OF _____

_____ OF _____

LOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF _____

_____ OF _____

On **DATE:** 7/4/17 at **TIME STARTED:** 3:50 pm, **FULL NAME:** Richard J Tomaselli, [REDACTED] Rensselaer NY 13438

state the following: On July 4, 2017 ^{at approximately 2:30 pm} I was riding my bicycle on Commons Rd in the town of Rensselaer. I was heading towards the village I looked up and saw a plane. I thought it was coming in for a landing. The plane was coming towards me and all of a sudden it did a nose dive. I heard the engine and I saw him dive right into the field. The field he landed in is closer to the village in front of the airstrip. I ran over to the plane. The plane was silver with red and had one man in the plane. I asked him if he was okay. I could see he was injured but breathing. He had a head injury but was alive. I went back to my bicycle that I left near the road to get my cell phone to call 911. I went back to the plane and stayed on the phone until the Troopers came. END OF STATEMENT

NOTICE

(Penal Law § 210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 4th day of July, 2017

- OR -

* Subscribed and Sworn to before me

this _____ day of _____,

(WITNESS)

TIME ENDED:

3:12 pm

(NAME OF PERSON TAKING DEPOSITION)

* This form need be sworn to only when specifically required by the court

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK
-- vs.

Defendant(s)

<p style="text-align: center;"><u>INCIDENT LOCATION:</u></p> <p>STATE OF NEW YORK <u>LOCAL CRIMINAL</u> COURT</p> <p>COUNTY OF <u>ONEIDA</u></p> <p><u>TOWN</u> of <u>REMSEN</u></p>	<p style="text-align: center;"><u>LOCATION OF DEPOSITION:</u></p> <p>STATE OF NEW YORK</p> <p>COUNTY OF <u>ONEIDA</u></p> <p><u>TOWN</u> of <u>REMSEN</u></p>
--	---

On <u>07/04/2017</u> at <u>06:12 PM</u> I, <u>JOHN E WILCZAK</u>	Full Name:		
Date of Birth	No. and Street	CITY	State
		LEE CENTER	NY

The Following:

I, John E. Wilczak Jr. [REDACTED], am talking with Trooper Kenneth H. Roberts of the New York State Police regarding an airplane accident in Remsen, NY. I reside at [REDACTED] in the Town Lee and my contact number is [REDACTED]. I am the mechanic of record for the Luscombe Model 8A airplane that was involved in the accident. I am a FAA licensed aircraft and power plant rated mechanic with inspection authorization. My FAA license number is A&P 69421104. The aircraft is a two seat single engine land plane. I have been working on this specific aircraft since May of this year. I have been an aircraft mechanic for 32 years. I have known the owner of the plane, Jon Coxwell, for about 9 years. I know he has had his pilot license for at least 25 years but possibly as long as 40 years. The last time I did work on the plane was Monday June 26, 2017. Myself and Jon Coxwell completed a fuel valve installation and we conducted leak checks. Everything was in proper working order. We ran the aircraft on the ground for about 15 minutes. As of today, I had not released the aircraft for flight. Because the work was outstanding, I had not yet signed the aircraft back into service. There was more work to be done on the aircraft. It was small stuff. For example, we were going to install a shoulder harness. Also, the plane was slightly out of rig or alignment. I believe the tail traveled slightly to the right. I recently talked to Scott Gillson, with the FAA, regarding an airworthiness certificate for the aircraft because Jon had lost his. Jon called me two days ago and told me that he had found the certificate. Lastly, I know for a fact that Jon Coxwell knew that the airport was closed. There are four large white X's at the ends of the cross runways. The white X's are international signs of a closed runway. Jon had discussed the possibility of taking the aircraft up for flight. I advised not to fly it until I had signed off on the aircraft and the runways re-opened.

- End of Statement. -

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 04TH day of JULY, 2017

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

[Signature]
(SIGNATURE OF DEPONENT)

[Signature]
(WITNESS)

Time Ended
07/04/2017 06:39 PM

* This form need be sworn to only when specifically required by the court