



FAA

Aviation Safety

Memorandum

Date: July 27, 2020

To: Shaun Williams, National Traffic Safety Board [REDACTED]

From: Johnny C. Victory, Aviation Safety Inspector, (AFG-LIT-FSDO-11)

Subject: CEN20CA303 Inspector Statement

Johnny C. Victory
2020.07.27
14:33:30 -05'00'

Background:

N2158P, 1942 Boeing B-75-NS3, SN 75-6861 piloted by Nicholas Adam Franke (Cert# [REDACTED]) reported engine power loss and landed off-airfield in a pipeline right-of-way near Glenn Road, Jacksonville, AR 72076.

Statement.

On 22 JUL 2020, the Little Rock FSDO was made aware of an accident involving N2158P. The extent of the damage to the aircraft was unknown, but were made aware that the pilot sustained "minor," if any, injuries, and had refused medical assistance. I was assigned to investigate the accident due to the proximity of the accident to my residence. I travelled to the accident the following morning, (23 JUL 2020) arriving at approximately 7:30 am and performed a preliminary assessment of the scene and aircraft. I noted that upon landing, the aircraft travelled through a barbed-wire fence located diagonally across the access area, with the right wing striking a post and gate, causing substantial damage to upper & lower right wings. Nothing remarkable about the condition of the aircraft, engine and/or fuel system.

At approximately 8:30 am, I called Mr. Franke and we briefly discussed the scenario surrounding the accident. Mr. Franke said he hated to admit it, but believes it was possible that he simply ran out of gas. He stated that he had planned to return with around 7 gallons of fuel remaining, but may have either underestimated the burn rate or inadvertently underserviced the fuel due to changes he'd made in how/where he serviced the aircraft. We arranged to meet at his facility located at [REDACTED], Jacksonville AR 72076 @ 1100 and then travel to the accident site. I informed him that I'd already been to the scene, but would like him to accompany me there to possibly inspect the fuel system. He agreed.

At approximately 11:00, I met Mr. Franke at his base of operation where we discussed the day and events leading up to the accident. He then explained how he'd

changed the way he connected the banner to the aircraft, and how the way he'd positioned the aircraft when fueling may have caused him to underservice it. At approximately 11:30 am, we travelled to the accident scene. We went to the aircraft together and performed a joint inspection of the damage. We discussed aspects of the accident but were unable to fully inspect the fuel system. We then travelled back to his home base facility where I photographed the aircraft registration, airworthiness certificate, and aircraft records. I informed Mr. Franke that I would send him an email detailing the items that I would need to complete the documentation of the accident.

I gathered some additional equipment and returned to the accident site at approximately 1:00 pm to attempt to ascertain the amount of fuel remaining on the aircraft and to further document the scene via photos. The aircraft was sitting in a normal attitude, with the tail slightly low. The fuel tank is in the upper wing and was undamaged. I positioned a bucket under the gascolator and drained approximately a quart of fuel. I then positioned a bucket under each of the sump drains located on the upper wing, and got less than a tablespoon from each. I then dipped the tank which appeared to be completely empty as there was no signs of fuel on the stick I used to dip it. I raised the tail approximately one foot to bring the aircraft into a more level attitude, and rechecked the tank and sumps, but was still unable to detect any fuel. An inspection of the fuel lines did not reveal any signs of damage and/or leakage.

At approximately 2:30 pm, I called Mr. Franke to discuss my findings at the scene. Based on input from the NTSB representative, I asked if Mr. Franke would be willing to admit the possibility that he had simply ran out of fuel causing the accident. He agreed that it would be the right thing to do. I informed him that I'd send a list of items that I needed to document including his statement, his training, his experience, aircraft time, and that I would include an NTSB Form 6120.

The accident investigation is ongoing.