



Aviation Investigation Final Report

Location:	San Diego, California	Accident Number:	WPR24FA037
Date & Time:	November 15, 2023, 21:20 Local	Registration:	N1400
Aircraft:	Cessna P210N	Aircraft Damage:	Substantial
Defining Event:	Fuel exhaustion	Injuries:	1 Fatal
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The instrument-rated pilot was conducting a personal night cross-county flight into an area where instrument flight rules (IFR) conditions prevailed. The pilot had flown nearly 4 hours and was conducting an instrument landing system (ILS) approach to an airport that he had diverted to due to poor weather at his intended destination and an ILS that was out of service by NOTAM at his filed alternate. There was no record of the pilot obtaining a weather briefing before the flight.

During the approach, the airplane drifted from the localizer course. The pilot then reported a missed approach to air traffic control, requested another approach, and reported about 10 minutes of fuel remaining. Subsequently, the airplane made a series of erratic turns and altitude changes, and the pilot requested an emergency landing. Shortly afterward, the pilot informed the controller that he was completely out of fuel. While the controller attempted to vector the airplane toward a runway, the airplane maneuvered northwest of the airport and then communication and contact were lost. A witness reported that visibility in the area was almost zero and the ceiling was 200-300 ft above ground level (agl) with light rain and wind. However, a pilot flying behind the accident airplane on the approach was able to follow the ILS and land without issue.

The airplane was not located and was the subject of a Federal Aviation Administration Alert Notice. Subsequently, a search located the airplane early the following morning on the side of a hill in a residential area about 3 miles west of the airport.

A review of the pilot's logbooks revealed that within the 6 months preceding the accident flight, he had not performed the tasks required to act as pilot-in-command under IFR. His most recent actual or simulated instrument flight occurred about 19 months before the accident flight. This

lack of recent instrument experience likely contributed to the pilot's difficulty completing the ILS approach.

Postaccident examination of the airplane revealed that the fuel tanks were not damaged during the impact and were absent of fuel. In addition, there was no evidence of preimpact mechanical failures or malfunctions that would have precluded normal operation. The airplane had a specified cruise endurance of 4.2 hours with full fuel.

The postaccident airplane examination, the airplane's maximum endurance, and the pilot's communications on his fuel status were all consistent with a total loss of engine power due to fuel exhaustion.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

A total loss of engine power due to fuel exhaustion. Contributing to the accident were the pilot's inadequate flight and fuel planning and his decision to fly in night instrument meteorological conditions despite his lack of recent instrument flight.

Findings

Aircraft	Fuel - Fluid level
Personnel issues	Decision making/judgment - Pilot
Personnel issues	Fuel planning - Pilot
Personnel issues	Recent instrument experience - Pilot
Environmental issues	Low ceiling - Ability to respond/compensate

Factual Information

History of Flight

Approach-IFR missed approach	Fuel exhaustion (Defining event)
Emergency descent	Controlled flight into terr/obj (CFIT)

On November 15, 2023, about 2120 Pacific standard time, a Cessna P210N airplane, N1400, was substantially damaged when it was involved in an accident near San Diego, California. The pilot was fatally injured. The airplane was operated as a Title 14 *Code of Federal Regulations* Part 91 personal flight.

The airline transport pilot had filed an instrument flight rules (IFR) flight plan for the accident flight that departed from Buchanan Field Airport (CCR), Concord, California, at a cruise altitude of 9,000 ft mean sea level (msl), with a planned destination of French Valley Airport (F70), Murrieta, California. The filed alternate was Mc Clellan-Palomar Airport (CRQ), Carlsbad, California.

ADS-B data revealed that the airplane departed CCR about 1734 and climbed to an initial cruise altitude of about 9,000 ft msl. About 2030, after several cruise altitude changes, the airplane arrived near F70. According to air traffic controllers, due to poor weather conditions at F70, the pilot planned to divert to CRQ. However, there was an ILS outage at CRQ, so the pilot chose to divert to Montgomery-Gibbs Executive Airport (MYF), San Diego, California, to fly the ILS approach there. ADS-B data showed that about 2048, the airplane descended to below 3,000 ft msl and then climbed to about 5,000 ft msl.

The Southern California Terminal Radar Approach Control (TRACON) cleared the pilot for the ILS Runway 28R approach to MYF and then transferred him to the MYF common traffic advisory frequency. When the TRACON controller noticed the airplane was drifting off the localizer course, the controller attempted to contact the pilot, but there was no response.

As the airplane overflew MYF at 600 ft msl, the pilot contacted the TRACON to report he was on the missed approach. The controller issued a low-altitude alert and asked the pilot his intentions. The pilot requested another approach and advised the controller he was running low on fuel, with about 10 minutes remaining. The airplane then began a series of erratic turns with altitude changes between 1,000 and 3,000 ft msl, and the pilot said that he needed to make an emergency landing. The controller instructed the pilot to climb and turn away from higher terrain. When the pilot informed the controller that he was completely out of fuel, the controller attempted to vector the airplane toward a runway at another nearby airport, but the

airplane maneuvered northwest of the airport and then communication and contact were lost (see figure).

Figure. Last portion of flight route after missed approach at MYF.

A witness reported that visibility in the area was almost zero and the ceiling was 200-300 ft agl with light rain and little wind. The pilot of an airplane flying behind the accident airplane on the approach stated that that he followed the ILS approach down without any problems, turned on the runway lights while still in IMC, broke out of the weather about 1,100 ft msl, and landed without issue.

The accident airplane was not immediately located and was the subject of an FAA Alert Notice. Subsequently, a search located the airplane early the following morning on the side of a hill in a residential area about 3 miles northwest of MYF.

Pilot Information

Certificate:	Airline transport; Flight engineer; Flight instructor	Age:	74, Male
Airplane Rating(s):	Single-engine land; Multi-engine land	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	Unknown
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	Airplane multi-engine; Airplane single-engine; Instrument airplane	Toxicology Performed:	Yes
Medical Certification:	Class 3 With waivers/limitations	Last FAA Medical Exam:	August 3, 2023
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:	(Estimated) 17372 hours (Total, all aircraft)		

A review of the pilot’s logbooks revealed that the pilot’s most recent actual or simulated instrument flight experience occurred on April 20, 2022. In the six calendar months preceding the accident, the pilot logged one instrument approach, although this was not logged as actual or simulated instrument time. (Six instrument approaches, holding procedures and tasks, and intercepting and tracking courses through the use of navigational electronic systems are required within the six preceding calendar months to act as pilot-in-command under IFR according to 14 CFR 61.57.) The pilot had logged a total of 10 flights and 7.6 hours of flight experience during 2023.

Aircraft and Owner/Operator Information

Aircraft Make:	Cessna	Registration:	N1400
Model/Series:	P210N	Aircraft Category:	Airplane
Year of Manufacture:	1979	Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	P210-00277
Landing Gear Type:	Retractable - Tricycle	Seats:	6
Date/Type of Last Inspection:	November 1, 2023 Annual	Certified Max Gross Wt.:	4000 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:	2845.9 Hrs as of last inspection	Engine Manufacturer:	CONT MOTOR
ELT:	C126 installed, not activated	Engine Model/Series:	TSIO-520 SER
Registered Owner:	On file	Rated Power:	300 Horsepower
Operator:	On file	Operating Certificate(s) Held:	None

The airplane's Pilot's Operating Handbook (POH) indicated that the fuel tanks had a total capacity of 90 gallons, with 89 gallons usable. A fixed-base operator added 49.8 gallons of fuel to the airplane at CCR on the afternoon of November 15, 2023. The refueler said he topped off the tanks.

The POH specified a cruise time of 4.2 hours at 80% power and an altitude of 10,000 ft, with the usable fuel of 89 gallons and the recommended lean mixture setting. This time included a fuel allowance for engine start, taxi, climb, and 45 minutes reserve at 45% power.

Meteorological Information and Flight Plan

Conditions at Accident Site:	Instrument (IMC)	Condition of Light:	Night
Observation Facility, Elevation:	KNKX, 478 ft msl	Distance from Accident Site:	5 Nautical Miles
Observation Time:	21:38 Local	Direction from Accident Site:	91°
Lowest Cloud Condition:		Visibility	4 miles
Lowest Ceiling:	Overcast / 1100 ft AGL	Visibility (RVR):	
Wind Speed/Gusts:	4 knots / None	Turbulence Type Forecast/Actual:	None / None
Wind Direction:	80°	Turbulence Severity Forecast/Actual:	N/A / N/A
Altimeter Setting:	30.01 inches Hg	Temperature/Dew Point:	14°C / 14°C
Precipitation and Obscuration:	Moderate - None - Mist		
Departure Point:	Concord, CA (CCR)	Type of Flight Plan Filed:	IFR
Destination:	Murietta, CA (F70)	Type of Clearance:	IFR
Departure Time:	17:34 Local	Type of Airspace:	

The National Weather Service Surface Analysis Chart depicted a cold front extending along the California coast with two high pressure centers over the southern California coast, with visibility restricted in light rain and mist, and overcast clouds.

The closest weather reporting location to the accident site was Marine Corps Air Station Miramar (NZY), San Diego, California. At 2136, a special weather observation at NZY reported 3 miles visibility in light rain and mist, and the ceiling broken at 300 ft agl.

At 2053, the visibility at MYF, where the pilot performed an instrument approach, was 3 miles in light rain and mist, and the ceiling was broken at 500 ft agl.

A numerical sounding model indicated that at 2100 at the accident site, the freezing level was about 12,700 ft msl. The model predicted nimbostratus clouds with bases near 400 ft agl and tops near 10,000 ft msl. The sounding wind profile indicated a surface wind from 110° at 4 kts and a maximum low-level wind near 2,000 ft agl at 165° at 21 kts. Additionally, the model predicted several layers of light to moderate turbulence at altitudes the accident airplane flew during the final portion of the flight.

No SIGMETs or convective SIGMETs were active for the accident area. AIRMETs were active for IFR conditions, mountain obscuration, and occasional moderate turbulence below 16,000 ft msl. The Los Angeles Center Weather Service Unit did not issue any Center Weather Advisories applicable to the area and time of the accident.

At the time of the accident, night conditions prevailed, and both the sun and moon were more than 15° below the horizon and provided no illumination over the area.

Neither the FAA’s Automated Flight Service Station operator nor the ForeFlight flight planning software provider had a record of the pilot obtaining a formal weather briefing. Although the pilot had a ForeFlight account, he did not create a "flight" in the application for the trip from CCR to F70, so no weather briefing was generated through ForeFlight.

Airport Information

Airport:	MONTGOMERY-GIBBS EXEC MYF	Runway Surface Type:	Asphalt
Airport Elevation:	427 ft msl	Runway Surface Condition:	Dry
Runway Used:	28R	IFR Approach:	ILS
Runway Length/Width:	4598 ft / 150 ft	VFR Approach/Landing:	None

MYF had an operational control tower that was attended from 0700 to 1800 and was closed during the pilot’s instrument approach to MYF. The MYF airport had a NOTAM for runway 28R runway alignment indicator lights unserviceable (out of service), issued on August 18, 2023, and cancelled on December 5, 2023.

The pilot’s filed alternate airport of CRQ had an ILS runway 24 unserviceable (out of service) NOTAM issued on November 9, 2023, and cancelled on December 21, 2023.

Wreckage and Impact Information

Crew Injuries:	1 Fatal	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	1 Fatal	Latitude, Longitude:	32.868472,-117.23909(est)

The terrain was populated with trees and vegetation. The airplane came to rest a few feet from the initial point of impact on a magnetic heading of about 273°. All major structural components of the airplane were located within the main wreckage site.

The accident site was located in a residential area and was situated near the top of a hillside with a slope of about 70°. The initial point of impact was about 40 ft below the hilltop. The main wreckage was located at an elevation of about 370 ft msl.

Postaccident examination of the airplane revealed that the fuel tanks were intact and empty, consistent with fuel exhaustion. In addition, an aircraft navigation test set device was used to check the navigation and ILS of the airplane. No anomalies were noted during the check. Overall, there was no evidence of preimpact mechanical failures or malfunctions that would have precluded normal operation of the airplane.

Medical and Pathological Information

The San Diego County Medical Examiner Department, San Diego, California, performed an autopsy of the pilot. According to the autopsy report, the cause of death was multiple blunt force injuries, and the manner of death was accident.

Toxicology testing performed by the FAA Forensic Sciences Laboratory was negative for drugs of abuse and ethanol. The following medications were detected in blood and urine: rosuvastatin (Crestor), a prescription cholesterol medication that the FAA states is acceptable for pilots; metformin, an oral medication used alone or with other medications, including insulin, to treat type 2 diabetes mellitus, and which the FAA states may be acceptable for pilots under certain conditions and may require FAA review; and diltiazem (Cardizem), an alpha-blocker used to treat high blood pressure that the FAA states is acceptable for pilots.

Additional Information

According to 14 *CFR* 91.167, IFR fuel requirements are to have enough fuel to fly to the first airport of intended landing and then enough fuel for 45 minutes of flight at normal cruising speed after reaching the alternate airport.

Administrative Information

Investigator In Charge (IIC):	Nixon, Albert
Additional Participating Persons:	Oded Moore; FAA; San Diego, CA Casey Love; Textron Aviation; Wichita, KS Roger Messick; FAA; San Diego, CA
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