



Aviation Investigation Final Report

Location:	AUBURN, California	Accident Number:	LAX95LA162
Date & Time:	April 15, 1995, 10:40 Local	Registration:	N301SH
Aircraft:	PITTS S-1E	Aircraft Damage:	Destroyed
Defining Event:		Injuries:	1 Fatal
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

GROUND WITNESSES OBSERVED TWO AIRPLANES FLYING IN A LOOSE FORMATION. THE ACCIDENT AIRPLANE WAS BELOW THE FIRST AIRPLANE AND WAS FLYING AT TREETOP LEVEL 'CORKSCREWING THROUGH THE AIR.' IT THEN ENTERED INTO A ROLL MANEUVER AND THE RIGHT WING STRUCK A TREE. POSTACCIDENT EXAMINATION DID NOT DISCLOSE ANY EVIDENCE OF PREIMPACT MALFUNCTIONS OR FAILURES. THE PILOT HAD BEEN CITED PREVIOUSLY BY THE FAA FOR VIOLATING MINIMUM SAFE ALTITUDES, AND CARELESS OR RECKLESS OPERATION.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: THE PILOT'S POOR JUDGMENT IN PERFORMING A ROLL AT AN ALTITUDE INSUFFICIENT TO ASSURE A SAFE COMPLETION.

Findings

Occurrence #1: IN FLIGHT COLLISION WITH OBJECT
Phase of Operation: MANEUVERING

Findings

1. (C) JUDGMENT - POOR - PILOT IN COMMAND
2. (C) BUZZING - INTENTIONAL - PILOT IN COMMAND
3. (C) AEROBATICS - PERFORMED - PILOT IN COMMAND

4. (C) ALTITUDE - INADEQUATE - PILOT IN COMMAND
5. OBJECT - TREE(S)

Factual Information

HISTORY OF FLIGHT

On April 15, 1995, at 1040 hours Pacific daylight time, a Brown (et al) amateur built Pitts S-1E, N301SH, collided with a tree and crashed about 10 miles north of Auburn, California. The pilot was conducting a visual flight rules personal flight to Auburn Municipal Airport, Auburn, California. The airplane, registered to and operated by the pilot, was destroyed by the impact forces and resulting postimpact fire. The certificated commercial pilot, the sole occupant, sustained fatal injuries. Visual meteorological conditions prevailed. The airplane departed Oroville Municipal Airport at 1025 hours.

A Federal Aviation Administration (FAA) airworthiness inspector from the Sacramento Flight Standards District Office conducted the on-scene investigation. He said that the airplane departed Oroville Municipal Airport with another experimental airplane. When both airplanes approached the accident site, the second airplane was flying at a "normal" altitude; the accident airplane was flying at treetop level. The inspector said a witness, located about 1/2 mile north of the accident site, said he observed the airplane at treetop level "corkscrewing through the air" before it struck the tree.

Several witnesses told Nevada County Sheriff's deputies that they observed the accident airplane executing a roll maneuver. During the maneuver, the airplane pitched down and collided with the terrain. One witness said he heard the accident airplane engine power increase before it entered the roll maneuver.

National Transportation Safety Board investigators interviewed the pilot of the second airplane (hereafter called the second pilot) at Auburn Airport, on May 5, 1995. The pilot said that he and the accident pilot flew their airplanes to Oroville Municipal Airport for breakfast. They departed Auburn Airport at 0900 hours.

After departing Oroville Municipal Airport, they flew as a flight of two; the accident airplane pilot was flying to the right and below the second pilot's airplane. Both pilots maintained communications on the common traffic advisory frequency (CTAF).

When the flight approached the accident site, the accident pilot lost sight of the accident airplane. The second pilot called the accident pilot on CTAF to determine his location. The accident pilot assured the second pilot that he was below him and had him in sight.

When the second pilot approached Auburn Airport he called the accident pilot, but received no reply. The second pilot decided to "turn around" and return to the flight's last flight path. After reversing his course, the second pilot saw smoke coming from the area that he last saw the

accident airplane. When he arrived over the area, the second pilot saw the accident airplane wreckage and returned to Auburn Airport.

PERSONNEL INFORMATION

Safety Board investigators did not recover the pilot's flight hours logbook. The flight hours reflected on page 3 of this report were obtained from the pilot's last medical application form. Investigators were unable to determine if the pilot satisfied the biennial flight review requirements of 14 CFR Part 61.56.

The FAA records show that the FAA previously cited the pilot for violation of 14 CFR Part 91.119C (Minimum safe altitudes) and 14 CFR Part 91.13A (Careless or reckless operation). The citing inspector told Safety Board investigators that the violation resulted from a public complaint. The pilot departed the Auburn Airport in a Mooney 20C and, at 100 feet above ground level (agl), he flew over a building near the airport.

AIRCRAFT INFORMATION

Safety Board investigators did not recover the airplane maintenance records and were unable to determine when the airplane received its last annual inspection.

WRECKAGE AND IMPACT

The on-scene examination revealed the airplane right wing struck a 100-foot tall pine tree. The airplane came to rest, right-side-up, about 1/8 mile beyond the tree facing in a northwesterly direction.

The entire airplane was incinerated by the postimpact fire.

MEDICAL AND PATHOLOGICAL INFORMATION

The Nevada County Sheriff's/Coroner's Office conducted the post mortem examination on the pilot. The pathologist did not note any findings that would have affected the pilot's ability to fly an airplane.

The FAA, Civil Aeromedical Institute, Oklahoma City, Oklahoma, performed toxicological examinations on the pilot. The examinations were negative for alcohol or drugs.

FIRE

The California Department of Forestry (CDF) conducted the fire suppression activities. The Nevada County Sheriff's Office records show that CDF personnel arrived at the accident site at 1055 hours. The records do not show that CDF personnel experienced any difficulties during their fire suppression activities.

WRECKAGE AND IMPACT INFORMATION

The Safety Board did not assume custody of the wreckage.

Pilot Information

Certificate:	Commercial	Age:	54, Male
Airplane Rating(s):	Single-engine land; Multi-engine land	Seat Occupied:	Center
Other Aircraft Rating(s):	None	Restraint Used:	
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	Yes
Medical Certification:	Class 2 Valid Medical--w/ waivers/lim	Last FAA Medical Exam:	September 6, 1994
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:	3500 hours (Total, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	PITTS	Registration:	N301SH
Model/Series:	S-1E S-1E	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	Yes
Airworthiness Certificate:	Experimental (Special)	Serial Number:	SB3
Landing Gear Type:	Tailwheel	Seats:	1
Date/Type of Last Inspection:	Unknown	Certified Max Gross Wt.:	900 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:		Engine Manufacturer:	LYCOMING
ELT:		Engine Model/Series:	O-360-A1D
Registered Owner:	BRYAN L. RICHARDSON	Rated Power:	180 Horsepower
Operator:		Operating Certificate(s) Held:	None
Operator Does Business As:		Operator Designator Code:	

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	BAB ,298 ft msl	Distance from Accident Site:	16 Nautical Miles
Observation Time:	10:55 Local	Direction from Accident Site:	260°
Lowest Cloud Condition:	Scattered / 5000 ft AGL	Visibility	15 miles
Lowest Ceiling:	Overcast / 25000 ft AGL	Visibility (RVR):	
Wind Speed/Gusts:	11 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:	190°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	29 inches Hg	Temperature/Dew Point:	12°C / 3°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	OROVILLE , CA (OVE)	Type of Flight Plan Filed:	None
Destination:	AUBURN , CA (AUN)	Type of Clearance:	None
Departure Time:	10:25 Local	Type of Airspace:	Class G

Airport Information

Airport:	AUBURN MUNI AUN	Runway Surface Type:	
Airport Elevation:	1520 ft msl	Runway Surface Condition:	
Runway Used:	0	IFR Approach:	None
Runway Length/Width:		VFR Approach/Landing:	

Wreckage and Impact Information

Crew Injuries:	1 Fatal	Aircraft Damage:	Destroyed
Passenger Injuries:		Aircraft Fire:	On-ground
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 Fatal	Latitude, Longitude:	38.999996,-121.090583(est)

Administrative Information

Investigator In Charge (IIC):	Llorente, A.
Additional Participating Persons:	JAMES P NELSON; SACRAMENTO , CA RICHARD J CONTE; SACRAMENTO , CA
Original Publish Date:	October 26, 1995
Last Revision Date:	
Investigation Class:	Class
Note:	
Investigation Docket:	https://data.nts.gov/Docket?ProjectID=29074

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The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties ... and are not conducted for the purpose of determining the rights or liabilities of any person” (Title 49 *Code of Federal Regulations* section 831.4). Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report (Title 49 *United States Code* section 1154(b)). A factual report that may be admissible under 49 *United States Code* section 1154(b) is available [here](#).