



Aviation Investigation Final Report

Location:	WADESBORO, North Carolina	Accident Number:	ATL93LA142
Date & Time:	August 7, 1993, 13:45 Local	Registration:	CFYSJ
Aircraft:	WM. D. BUTTERILL MUSTANG M1	Aircraft Damage:	Substantial
Defining Event:		Injuries:	1 Fatal
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

WITNESSES HEARD THE SOUND OF A DIVING AIRPLANE, THEN OBSERVED A FRAGMENTED AIRPLANE FALLING OUT OF THE CLOUDS AND CONTINUING IN A NOSE-LOW ATTITUDE UNTIL IMPACT WITH TERRAIN. THE CANADIAN REGISTERED HOMEBUILT PLANE HAD BEEN PURCHASED BY THE PILOT TWO DAYS BEFORE THE ACCIDENT. THE PILOT RECEIVED A WEATHER BRIEFING FROM RALEIGH AUTOMATED FLIGHT SERVICE STATION THE DAY OF THE ACCIDENT WHICH CALLED FOR INSTRUMENT METEOROLOGICAL CONDITIONS ALONG THE PROPOSED ROUTE OF FLIGHT. OFFICIAL TRANSCRIPTS FROM THE TELEPHONE CONVERSATION BETWEEN THE PILOT AND FLIGHT SERVICE CONTAIN STATEMENTS MADE BY THE PILOT ACKNOWLEDGING THE FACT THAT THE AIRPLANE DID NOT HAVE THE PROPER INSTRUMENTATION FOR FLIGHT INTO IMC CONDITIONS, BUT THAT HE PLANNED TO ATTEMPT THE FLIGHT ANYWAY.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: THE PILOT'S INTENTIONAL FLIGHT INTO IMC WITHOUT THE PROPER INSTRUMENTATION, WHICH RESULTED IN THE PILOT'S LOSS OF AIRCRAFT CONTROL, AND IN FLIGHT BREAKUP OF THE AIRPLANE.

Findings

Occurrence #1: IN FLIGHT ENCOUNTER WITH WEATHER

Phase of Operation: CRUISE

Findings

1. (C) PLANNING/DECISION - IMPROPER - PILOT IN COMMAND
2. (C) VFR FLIGHT INTO IMC - INTENTIONAL - PILOT IN COMMAND
3. (F) FLIGHT/NAV INSTRUMENTS - LACK OF

Occurrence #2: AIRFRAME/COMPONENT/SYSTEM FAILURE/MALFUNCTION

Phase of Operation: CRUISE

Findings

4. DESIGN STRESS LIMITS OF AIRCRAFT - EXCEEDED - PILOT IN COMMAND

Occurrence #3: IN FLIGHT COLLISION WITH TERRAIN/WATER

Phase of Operation: DESCENT - UNCONTROLLED

Factual Information

HISTORY OF FLIGHT

On August 7, 1993, at 1345 eastern daylight time, a William D. Butterill Mustang M1, with Canadian registry CFYSJ was substantially damaged following an in flight breakup and collision with terrain near Wadesboro, North Carolina. The airline transport pilot was fatally injured in the accident. The aircraft was being operated under 14 CFR Part 91 by the pilot. Instrument meteorological conditions existed at the time of the accident, and no flight plan had been filed for the personal flight. The flight departed Siler City, North Carolina at 1245 and the intended destination was Jacksonville, Florida.

On the day of the accident, at 1232 eastern daylight time, the pilot contacted Raleigh Automated Flight Service Station and received an aviation weather briefing. The briefing called for instrument meteorological conditions along the route of flight. The pilot mentioned during the phone conversation (please see official transcript included with this report) that the airplane did not contain the instruments required by 14 CFR 91.205(d) for flight into IMC, but that he planned to continue the flight anyway.

According to witnesses, there was an overcast cloud layer at 400 feet above ground level in the area of the accident. The aircraft was observed to exit the base of the clouds in a nose down vertical position. Witnesses stated that the aircraft was in several pieces as it exited the cloud base.

PERSONNEL INFORMATION

Information on the pilot is included in this report in the section titled "First Pilot Information".

AIRCRAFT INFORMATION

As stated above, the aircraft lacked the equipment required by Federal Aviation Regulations for flight solely by reference to instruments. Additional aircraft information can be found in this report in the section titled "Aircraft Information".

METEOROLOGICAL INFORMATION

Instrument meteorological conditions existed at the time of the accident. Additional weather information can be found in this report in the section titled "Weather Information".

WRECKAGE AND IMPACT INFORMATION

The aircraft wreckage was distributed over an area of approximately 500 feet in length. Both the left and right wings were found at the beginning of the wreckage path. The fuselage and engine were located approximately 300 feet east of the wings.

MEDICAL AND PATHOLOGICAL INFORMATION

An autopsy was performed by Dr. Lisa M. Flannigan, M.D., on August 8, 1993 at the Office of the Chief Medical Examiner in Chapel Hill, North Carolina. The medical examiner stated that there was evidence of coronary atherosclerotic disease of the heart found during post mortem examination of the pilot. Toxicological examination of the pilot revealed no evidence of drugs or alcohol.

Pilot Information

Certificate:	Airline transport; Commercial	Age:	67, Male
Airplane Rating(s):	Single-engine land; Multi-engine land	Seat Occupied:	Front
Other Aircraft Rating(s):	None	Restraint Used:	
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	Airplane single-engine; None	Toxicology Performed:	Yes
Medical Certification:	Class 2 Valid Medical-w/ waivers/lim	Last FAA Medical Exam:	January 13, 1993
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:	3663 hours (Total, all aircraft), 3 hours (Total, this make and model), 72 hours (Pilot In Command, all aircraft), 16 hours (Last 90 days, all aircraft), 3 hours (Last 30 days, all aircraft), 3 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	WM. D. BUTTERILL MUSTANG	Registration:	CFYSJ
Model/Series:	M1 M1	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	Yes
Airworthiness Certificate:	Special flight (Special)	Serial Number:	517
Landing Gear Type:	Tailwheel	Seats:	1
Date/Type of Last Inspection:	October 9, 1992 Annual	Certified Max Gross Wt.:	948 lbs
Time Since Last Inspection:	6 Hrs	Engines:	1 Reciprocating
Airframe Total Time:	223 Hrs	Engine Manufacturer:	CONTINENTAL
ELT:	Installed	Engine Model/Series:	C-85-12F
Registered Owner:	WILLIAM H. SAUNDERS	Rated Power:	85 Horsepower
Operator:		Operating Certificate(s) Held:	None
Operator Does Business As:		Operator Designator Code:	

Meteorological Information and Flight Plan

Conditions at Accident Site:	Instrument (IMC)	Condition of Light:	Day
Observation Facility, Elevation:	CLT ,749 ft msl	Distance from Accident Site:	50 Nautical Miles
Observation Time:	12:52 Local	Direction from Accident Site:	100°
Lowest Cloud Condition:	Scattered / 1300 ft AGL	Visibility	8 miles
Lowest Ceiling:	Overcast / 3400 ft AGL	Visibility (RVR):	
Wind Speed/Gusts:	6 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:	80°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30 inches Hg	Temperature/Dew Point:	22°C / 19°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	SILER CITY , NC (5W8)	Type of Flight Plan Filed:	None
Destination:	JACKSONVILLE , FL (CRG)	Type of Clearance:	None
Departure Time:	12:45 Local	Type of Airspace:	Class G

Airport Information

Airport:		Runway Surface Type:	
Airport Elevation:		Runway Surface Condition:	
Runway Used:	0	IFR Approach:	
Runway Length/Width:		VFR Approach/Landing:	None

Wreckage and Impact Information

Crew Injuries:	1 Fatal	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 Fatal	Latitude, Longitude:	34.960235,-80.059623(est)

Administrative Information

Investigator In Charge (IIC):	Sasser, Roff
Additional Participating Persons:	MARION D GARRETT; CHARLOTTE , NC
Original Publish Date:	August 17, 1994
Last Revision Date:	
Investigation Class:	Class
Note:	
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=3251

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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](#).