



# Aviation Investigation Final Report

<b>Location:</b>	APEX, North Carolina	<b>Accident Number:</b>	MIA99LA139
<b>Date &amp; Time:</b>	April 25, 1999, 08:50 Local	<b>Registration:</b>	N9249S
<b>Aircraft:</b>	Beech 23	<b>Aircraft Damage:</b>	Substantial
<b>Defining Event:</b>		<b>Injuries:</b>	2 Serious, 1 None
<b>Flight Conducted Under:</b>	Part 91: General aviation - Personal		

## Analysis

The pilot had taxied the airplane to runway 09, and planned a short field takeoff. He ran the engine to full power, released the foot brakes, applied full right rudder, in anticipation of the airplane yawing to the left, and applied back pressure on the yoke. As the nose rotated, the stall warning horn sounded and the airplane drifted to the right. The pilot applied left aileron, but never released the right rudder pedal. The airplane continued to drift right until it struck a tree, turning the airplane hard to the right, and striking the next tree with the spinner of the propeller. The airplane came to rest opposite the direction of takeoff, against a clutter of trees, supported by the left wing

## Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: the pilot's failure to maintain control of the airplane resulting in the airplane drifting, and subsequently impacting with trees.

### Findings

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

#### Findings

1. (C) AIRCRAFT CONTROL - NOT MAINTAINED - PILOT IN COMMAND
2. OBJECT - TREE(S)



## Factual Information

On March 25, 1999, about 0850 eastern daylight time, a Beech 23, N9249S, registered to an individual impacted with a tree during climbout near Apex, North Carolina. Visual meteorological conditions prevailed at the time, and no flight plan was filed for the 14 CFR Part 91 personal flight. The airplane sustained substantial damage. The private-rated pilot reported no injuries, and two passengers reported serious injuries. The flight had just departed en route to Orangeburg, South Carolina, and was originating at the time.

The pilot had taxied the airplane to runway 09, and planned a short field takeoff. He ran the engine to full power, released the foot brakes, applied full right rudder, in anticipation of the airplane yawing to the left, and applied back pressure on the yoke. As the nose rotated, the stall warning horn sounded and the airplane drifted to the right. The pilot applied left aileron, but never released the right rudder pedal. The airplane continued to drift right until it struck a tree, turning the airplane hard to the right, and striking the next tree with the spinner of the propeller. The airplane came to rest opposite the direction of takeoff, against a cluster of trees, supported by the left wing.

### Pilot Information

<b>Certificate:</b>	Private	<b>Age:</b>	42, Male
<b>Airplane Rating(s):</b>	Single-engine land	<b>Seat Occupied:</b>	Left
<b>Other Aircraft Rating(s):</b>	None	<b>Restraint Used:</b>	
<b>Instrument Rating(s):</b>	None	<b>Second Pilot Present:</b>	No
<b>Instructor Rating(s):</b>	None	<b>Toxicology Performed:</b>	No
<b>Medical Certification:</b>	Class 3 Valid Medical--w/ waivers/lim	<b>Last FAA Medical Exam:</b>	August 28, 1998
<b>Occupational Pilot:</b>	UNK	<b>Last Flight Review or Equivalent:</b>	
<b>Flight Time:</b>	140 hours (Total, all aircraft), 27 hours (Total, this make and model), 97 hours (Pilot In Command, all aircraft), 19 hours (Last 90 days, all aircraft), 8 hours (Last 30 days, all aircraft), 2 hours (Last 24 hours, all aircraft)		

## Aircraft and Owner/Operator Information

<b>Aircraft Make:</b>	Beech	<b>Registration:</b>	N9249S
<b>Model/Series:</b>	23 23	<b>Aircraft Category:</b>	Airplane
<b>Year of Manufacture:</b>		<b>Amateur Built:</b>	
<b>Airworthiness Certificate:</b>	Normal	<b>Serial Number:</b>	M1748
<b>Landing Gear Type:</b>	Tricycle	<b>Seats:</b>	
<b>Date/Type of Last Inspection:</b>	June 2, 1998 Annual	<b>Certified Max Gross Wt.:</b>	
<b>Time Since Last Inspection:</b>	386 Hrs	<b>Engines:</b>	1 Reciprocating
<b>Airframe Total Time:</b>	2963 Hrs	<b>Engine Manufacturer:</b>	Lycoming
<b>ELT:</b>	Installed, activated, did not aid in locating accident	<b>Engine Model/Series:</b>	O-360-A4K
<b>Registered Owner:</b>	EDISTO FLYERS INC.	<b>Rated Power:</b>	180 Horsepower
<b>Operator:</b>	DENNIS HARRELL	<b>Operating Certificate(s) Held:</b>	None
<b>Operator Does Business As:</b>		<b>Operator Designator Code:</b>	

## Meteorological Information and Flight Plan

<b>Conditions at Accident Site:</b>	Visual (VMC)	<b>Condition of Light:</b>	Day
<b>Observation Facility, Elevation:</b>	RDU ,345 ft msl	<b>Distance from Accident Site:</b>	15 Nautical Miles
<b>Observation Time:</b>	07:51 Local	<b>Direction from Accident Site:</b>	90°
<b>Lowest Cloud Condition:</b>	Scattered / 25000 ft AGL	<b>Visibility</b>	10 miles
<b>Lowest Ceiling:</b>	None	<b>Visibility (RVR):</b>	
<b>Wind Speed/Gusts:</b>	3 knots /	<b>Turbulence Type Forecast/Actual:</b>	/
<b>Wind Direction:</b>	110°	<b>Turbulence Severity Forecast/Actual:</b>	/
<b>Altimeter Setting:</b>	30 inches Hg	<b>Temperature/Dew Point:</b>	9°C / 7°C
<b>Precipitation and Obscuration:</b>	No Obscuration; No Precipitation		
<b>Departure Point:</b>	(NC81)	<b>Type of Flight Plan Filed:</b>	None
<b>Destination:</b>	ORANGEBURG , SC (OGB )	<b>Type of Clearance:</b>	None
<b>Departure Time:</b>	00:00 Local	<b>Type of Airspace:</b>	

## Airport Information

<b>Airport:</b>	COX FIELD NONE	<b>Runway Surface Type:</b>	Grass/turf
<b>Airport Elevation:</b>	350 ft msl	<b>Runway Surface Condition:</b>	Dry
<b>Runway Used:</b>	9	<b>IFR Approach:</b>	None
<b>Runway Length/Width:</b>	1900 ft / 60 ft	<b>VFR Approach/Landing:</b>	None

## Wreckage and Impact Information

<b>Crew Injuries:</b>	1 None	<b>Aircraft Damage:</b>	Substantial
<b>Passenger Injuries:</b>	2 Serious	<b>Aircraft Fire:</b>	None
<b>Ground Injuries:</b>	N/A	<b>Aircraft Explosion:</b>	None
<b>Total Injuries:</b>	2 Serious, 1 None	<b>Latitude, Longitude:</b>	35.719154,-78.839256(est)

## Administrative Information

<b>Investigator In Charge (IIC):</b>	Yurman, Alan
<b>Additional Participating Persons:</b>	DERICK WATTS; WINSTON/SALEM , NC
<b>Original Publish Date:</b>	April 19, 2001
<b>Last Revision Date:</b>	
<b>Investigation Class:</b>	<a href="#">Class</a>
<b>Note:</b>	
<b>Investigation Docket:</b>	<a href="https://data.ntsb.gov/Docket?ProjectID=46149">https://data.ntsb.gov/Docket?ProjectID=46149</a>

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

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](#).