

From: [Jeff Burns](#)
To: [Gallo Mitchell](#)
Subject: FW: STATEMENT ON PLANE CRASH- JASMINE BOTLEY AND MICHAEL BOTLEY
Date: Thursday, July 27, 2017 5:48:50 AM

Passenger statement

Jeffrey W. Burns
Principal Maintenance Inspector
San Antonio FSDO
[REDACTED]

From: Michael Botley [REDACTED]
Sent: Thursday, July 27, 2017 4:31 AM
To: Burns, Jeffrey (FAA) [REDACTED]
Subject: STATEMENT ON PLANE CRASH- JASMINE BOTLEY AND MICHAEL BOTLEY

On July 22, 2017,

My husband and I met Mike Eiras Co Founder and Pilot of "UP ABOVE AUSTIN" at "Emerald Point Marina" located at 5973 Hilina Rd, Austin, Tx 78734. My husband and I walked up to Mike and introduced ourselves. Mike then gave us each a blue life jacket, that had a yellow pull string. he stated "You won't need it, but just incase you'll have one." He then asks Michael (my husband) "who wants to sit in the front seat?" Michael replies "I'll let my wife get in front." Michael then gets in the back seat, I get in the front passenger seat. Mike E. then removes the outside brakes from the wheels and gets in the driver seat of the seaplane. We started the roll in the water, he then realized it and immediately put his foot on the brakes to stop us from moving. I started to feel uneasy so I started video footage. Mike E, removed foot off brake and got us into the water by seaplane. He stated "now its like a boat, we'll temporarily float for a bit." After floating approximately for 5 mins, he started the engine of the seaplane and begin to drive forward to get us up in the air. On his first attempt it was very bumpy, rocky, and rough he looked very uneasy; he tried to get us up and came back now roughly. He then tried again for a second attempt, its rough and rocky, he tries to get up and comes once again down hard. He attempts a third time to get us up, its still VERY bumpy and rocky, this time he was able to get us off the water, into the air. Mike E, continues to drive, looks veryyy uneasy, we started coming down from the air at a fast rate turn a corner and head straight towards the water, he never mentioned ANY problems until we were about to crash. He stated "Oh thats not good." right before we crashed. There were boats or anything in the way when we were coming down from the air about to crash. As we were coming down from the air hitting water, I saw pieces of the plane breaking off. Once we crashed, the Pilot Mike E, sat in his seat not saying anything. I turned around looked at my husband to make sure he was ok, and noticed that water was entering the plane due to us landing towards the left side. I then stated "shouldn't we get out the plane" Mike E then stated "oh yea, yea we should."

I unbuckled the seatbelt and my life jacket, not realizing that I unbuckled the life jacket and then stated "how do I open the door someone help." My husband then reaches forward and lifts the latch to open the door. I get out in a hurry to let the others out since my right door is the only exit available. Once out the plane I lean against the rear part of the plane, because gravity is pushing me backward towards the sinking plane. Boats come and ask if we need help, but the waves push us further down. The Sheriff boat then comes into site and tells the other boats to back up so they can come in closer. The sheriff boat comes in, the women sheriff reached her hand out to me I reached back (the boat was higher than the sinking plane.) My feet were on the ledge under water, I jumped towards the sheriff our hands didn't meet and then I fell into the water. I started to drown, my purse was also wrapped around my arm preventing me to use my left arm and the current was strong. I came to the surface of the water and yelled "HELP" and went back down. The women Sheriff then

takes off her life jacket and dives in to save me and holds onto me. The other Sheriff on the boat threw out a blue float, I grabbed onto it and then saw my husband come around the corner swimming from the left side of the plane towards me. His life jacket NEVER inflated, I never saw the Pilot until the second lower Sheriff boat arrived and then he got into the boat. Once we were on the Sheriff boat, the Sheriff asked Mike E, "where's her life jacket, and why didn't the the husband and your life jacket inflate?" he then stated "she had it on when we were on the plane, and its a pull string life jacket." the Sheriff then applied, "it still should have inflated once getting into the water." Mike E never replied. We were accessed by EMT and I went to the hospital. The next day 7/23/17 I saw a video on Facebook from ABC WorldNews By David Muir, in the video you see the crashed plane, me and the Sheriff in the water together, then you see Mike E the Pilot standing on the part of the plane thats not submerged, while one of his passengers were drowning and the other swimming in the water to his wife to help. He had a life jacket on why couldn't he have swim over to help me? On the DPS.texas.gov website it lists requirements for Pilots on (F-) its states " Ability to react calmly and to display leadership in emergency situations; to regarding flight conditions; and to work effectively and efficiently with co- pilot, other departmental personnel, other law enforcement and governmental agencies personal, and general public. Which he did NOT do. I would have never had a problem with him saying he wouldn't be able to take us on the tour and bring us back to the dock, than endanger our lives. After that first attempt he should have brought us back not attempt 3 times that led to a crash. I also have 3 videos of the 1st,2nd, and 3rd attempt, also shows that he should have never kept trying to get us up off water, because once he did get us in the air we crashed. we were about 75-100ft in the air.