



## **NATIONAL TRANSPORTATION SAFETY BOARD**

Office of Aviation Safety  
Washington, D.C. 20594

August 24, 2021

### **Attachment 5: Airman Revocation Letter**

# **OPERATIONAL FACTORS FACTUAL REPORT**

**CEN20LA215**



6 6 4 5 1 8 0 8

AVN-460

In Reply Refer To: ACE-7  
90CE030084

Area Code: [REDACTED]

AIRBORNE EXPRESS and CERTIFIED - RETURN RECEIPT REQUESTED

October 11, 1990

TO: Mr. Reggie Shawn Hopwood  
[REDACTED]

ORDER OF EMERGENCY REVOCATION

Take notice that it is found by the Administrator of the Federal Aviation Administration that:

- 1) At all times hereinafter mentioned you were the holder of Airman Certificate Number [REDACTED] with commercial pilot privileges.
- 2) At all times hereinafter mentioned, you were the President and Director of Operations for Cape Central Airways, Inc.
- 3) On the morning of August 21, 1990, in your presence, the Federal Aviation Administration (FAA) conducted a physical inspection of Civil Aircraft N999TA, a Mitsubishi Model MU-2B, which revealed that the left wing trim aileron tab was jammed in the full up position.
- 4) Immediately following the above-referenced inspection, you were advised by the FAA that the jammed trim aileron tab created an unsafe condition and serious control problems could occur and that the trim tab should be repaired prior to further flight.
- 5) Without making necessary repairs, Mitsubishi N999TA departed Lambert/St. Louis International Airport (STL), St. Louis, Missouri, for Cape Girardeau Municipal Airport (CGI), Cape Girardeau, Missouri, with you and Mr. Rice as the flight crew.
- 6) Upon arrival at CGI, and without making necessary repairs, Mitsubishi N999TA departed CGI for Burke Lakefront Airport (BKL), Cleveland, Ohio, with Mr. Rice acting as pilot-in-command and you acting as second-in-command.



- 7) Upon arrival at BKL, the flight was met by two FAA inspectors from the Cleveland Flight Standards District Office (FSDO) who conducted an inspection of Mitsubishi N999TA, which revealed the following:
- a) The left wing trim aileron tab was still jammed in the up position.
  - b) A Cape Central Airways Flight Manifest Sheet No. 2499 indicated that the flight to depart BKL to MLU on August 21, 1990, was an FAR 135 flight with a cargo of 240 pounds, Mr. Rice as pilot-in-command, Mr. Hopwood as second-in-command, and that the aircraft discrepancy log portion of the manifest contained no discrepancy entry regarding the trim aileron tab.
  - c) The aircraft did not have an aircraft maintenance status sheet aboard.
  - d) There was no record of any maintenance performed on the left wing trim aileron tab, nor was there any airworthiness release on any maintenance documents as required by FAR 135.443(a) and (b).
  - e) Cape Central had no approved Minimum Equipment List (MEL) for N999TA.
- 8) On the occasion referred to in paragraph 7 hereof, when requested by the Cleveland FSDO inspectors, you refused to demonstrate normal operation of the trim aileron tab system on N999TA.
- 9) Following the above-referenced inspection, the Cleveland FAA inspectors advised you and Mr. Rice that the trim system must work for N999TA to be airworthy and that without an MEL, all systems must function properly for the aircraft to be in airworthy condition.
- 10) After informing the flight crew of the above, the FAA inspectors watched as cargo was loaded on N999TA and the flight departed for Monroe Regional Airport (MLU), Monroe, Louisiana, with you and Mr. Rice as the flight crew, and with the left wing trim aileron tab still in the fully up position.
- 11) The flight referred to in paragraph 10 hereof was operated by Cape Central, a commercial operator, and was a commercial operation carrying cargo for compensation or hire pursuant to Cape Central's air carrier certificate.



- 12) Following a drop-off of cargo in MLU, you returned to CGI where two St. Louis FAA inspectors met the flight and determined that the left wing trim aileron tab was still jammed in the full up position, and there was no record of any maintenance performed on the left wing trim aileron tab, nor was there any airworthiness release on any maintenance documents.
- 13) On the occasion referred to in paragraph 9 hereof, you had not, within the preceding 12 calendar months, passed a competency check in the MU-2 pursuant to Section 135.293(b) of the FARs.
- 14) By reason of the foregoing facts and circumstances, you violated the following sections of Federal Aviation Regulations (FARs):
  - a) 91.7(a), in that you operated a civil aircraft when it was not in an airworthy condition.
  - b) 91.13(a), in that you operated an aircraft in a careless or reckless manner so as to endanger the life or property of another.
  - c) 91.213(a), in that you took off an aircraft with inoperative equipment installed when there was no approved Minimum Equipment List for the aircraft.
  - d) 135.65(c), in that you, in taking corrective action or deferring action concerning an observed failure of an appliance did not record the action taken in the aircraft maintenance log under the applicable maintenance requirements of Chapter 1.
  - e) 135.73, in that you, as an employee of the certificate holder, did not allow the Cleveland Flight Standards District Office inspectors to make inspections or tests to determine the holder's compliance with the FAA Act of 1958, applicable regulations, and Cape Central's operating certificate and operations specifications.
  - f) 135.143(a) and (b), in that you operated an aircraft under Part 135 of the FARs when the aircraft and its equipment was not in an operable condition and did not meet the applicable regulations of Chapter 1 of the FARs.



- g) 135.179(a)(1), in that you authorized the takeoff of a multiengine aircraft when the left wing trim aileron tab, equipment that is specifically required by the airworthiness requirements under which the aircraft is type certificated and which are essential for safe operations under all operating conditions, was not operational.
- h) 135.293(b), in that you served as a pilot on Civil Aircraft N999TA in an operation under Part 135 of the FARs when you had not, since the beginning of the 12th calendar month before that service, passed a competency check given by the Administrator or an authorized check pilot in that type of aircraft.

By reason of the circumstances set forth in the foregoing paragraphs, the Administrator has determined that you are not qualified to hold an air carrier certificate, in that you lack the degree of care, judgment, and responsibility required of the holder of such a certificate. Therefore, the Administrator finds that safety in air commerce or air transportation and the public interest require the revocation of your airman certificate. Furthermore, the Administrator has determined that an emergency exists and that the public interest and safety in air commerce or air transportation require the immediate effectiveness of this Order.

NOW, THEREFORE, IT IS ORDERED, pursuant to the authority vested in the Administrator by Sections 609 and 1005(a) of the Federal Aviation Act of 1958, as amended, that:

- 1) Airman Certificate Number [REDACTED] issued to Reggie Shawn Hopwood, is revoked on an emergency basis.
- 2) Such revocation shall become effective as of the date of this order.
- 3) Your airman certificate must be surrendered at once by mail or delivery to the Assistant Chief Counsel, Room 1558, Federal Office Building, 601 East 12th Street, Kansas City, Missouri 64106.

Timothy C. Titus  
Assistant Chief Counsel  
By:

Original signed by:

John W. Escott  
Attorney

cc: National Transportation Safety Board (via CERTIFIED mail)  
Jack J. Burke, Esq. (via CERTIFIED mail)  
AVN-460/ACE-1/ACE-5/ACE-200/ACE-250/St. Louis FSDO



**APPEAL**

You may appeal from this Order within ten (10) days from the date it is served by filing a Notice of Appeal with the Office of Judges, National Transportation Safety Board, Suite 505, [REDACTED] Vienna, VA 22182, telephone [REDACTED]. IT IS IMPERATIVE THAT YOUR APPEAL STATE THAT YOU ARE APPEALING FROM AN EMERGENCY ORDER. Part 821 of the Board's Rules of Practice in Air Safety Proceedings applies to such an appeal. An original and three (3) copies of your appeal must be filed with the NTSB. In the event you appeal, a copy of your Notice of Appeal must be furnished this office at the address noted in the Emergency Order. In view of the fact that your airman certificate was revoked on an emergency basis, the Emergency Order of Revocation will remain in effect during the pendency of any proceedings before the NTSB.

Whether or not you choose to appeal from this Emergency Order, you must surrender Airman Certificate Number [REDACTED] to the Assistant Chief Counsel, ACE-7, Federal Office Building, Room 1558, [REDACTED] Kansas City, Missouri 64106.

In the event of an appeal to the NTSB, a copy of this Order will be filed with the Board and will serve as the Administrator's complaint in this proceeding.