

NARRATIVE

Date of Action	Date Written	Officer Name & Rank
06/10/2016	06/11/2016	HUYNH, ERIC (TPR)

Narrative

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Date of Action	Date Written	Officer Name & Rank

Investigator Frederick J. Sousa III, SP Rochester BCI, adopts a Fatal Accident case.

7) On 06/10/16, I responded to Pickett Line Rd in the area south of Hay Rd in the Town of Nunda for a report of a male falling to his death from a hot air balloon. Present upon my arrival was UF Captain Kevin Reilly, Sgt/SC John Kelly, Sgt Joseph Krywalski, and Troopers Eric Huyn, Adam Halstead, Matthew Stolte, and Nichole Dioguardi. Also present on scene were numerous members of the Nunda Fire Department.

8) On 06/10/16, Sgt/SC Kelly briefed me in this investigation. He advised that at approximately 9:10 pm, SEAN QUIGLEY, owner and operator of Balloons over Letchworth, landed his balloon in an open field on the east side of Pickett Line Rd south of Hay Rd. He then began deboarding his passengers (10 in total) while four members of his ground crew held/stabilized the basket. As the final passengers deboarded, the basket rose and all but one crew member, RYAN ALMETER, released their hand hold. For

an unknown reason R. ALMETER failed to release and was carried approximately 100 yards into the air. He and the balloon then drifted over a tree line and open field immediately south of their location before he fell and impacted the earth causing his immediate death. Sometime thereafter, QUIGLEY was able to re-land the balloon. The second landing occurred in a field on the west side of Pickett Line Rd just south of his original landing site.

8) On 06/10/16, Sgt Krywalski advised that he had notified FAA and NTSB of this death investigation. Both agencies separately advised that their offices would initiate an investigation into the matter, but that no personal would be responding to the scene. Follow-up contact by their agencies would be made to the NYSP during the course of business hours on 06/13/16.

9) On 06/10/16, I inspected and photographed the incident scene and the deceased. Refer to the enclosed Gen'l 34D - Digital Photo Record - Enclosure #1 [REDACTED]

10) On 06/10/16, Trooper Stolte interviewed QUIGLEY at the scene. He stated that at approximately 8:35 pm, he landed his Cameron AX11 hot air balloon in a field on Pickett Line Rd. After four of his crew members arrived and held onto the basket, he began deboarding his 10 passengers. Due to the presence of light winds, he left his balloon partially inflated during this process. Once all passengers deboarded, the crew lifted he and the basket to move it towards a cart for removal. Almost immediately the balloon shot up into the air and he and the basket became airborne. After hearing someone call his name twice, he realized that one of his crew, R. ALMETER, was with him although he couldn't see him. He then told R. ALMETER not to let go and that he was bringing the balloon back down. [REDACTED] He estimated his height at that time to be ~100 yards. He was unsure of how or why R. ALMETER came to ascend with him, and believed the matter to be accidental. A deposition was secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosure #2.

11) On 06/10/16, the following Balloons over Letchworth crew members were interviewed at the scene: LIAM PANKOW; AIDEN PANKOW; and JOSEPH THOMPSON. L. PANKOW stated that at approximately 9:00 pm, he and three other crew members were holding down the basket while the passengers deboarded. After the last passenger deboarded, he and the crew began letting the basket rise. When it became too high to hold all of the crew excluding R. ALMETER let go. He then watched R. ALMETER ascend with the basket. A deposition was secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosure #3.

A. PANKOW stated that at approximately 9:00 pm, he assisted in deboarding passengers from the basket. When the last passenger deboarded, the basket began to rise very quickly. He and the three other crew members, and possibly two of the passengers, grabbed the basket and unsuccessfully attempted to hold it down. As it ascended, everyone but R. ALMETER let go. He then watched R. ALMETER ascend and ultimately fall from the basket. A deposition was secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosure #4.

THOMPSON stated that he and three other crew members assisted in deboarding all of the passengers from the basket. QUIGLEY then put some air onto the balloon causing the basket to rise about one foot. The purpose of this was to assist in moving the basket towards the cart. Approximately ten seconds later the balloon shot straight up into the air. Everyone but R. ALMETER, who appeared to be holding onto the bottom rope, let go of the basket. R. ALMETER then ascended ~100-150' before falling. R. ALMETER appeared to have lost his grip. A deposition was secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosure #5.

12) On 06/10/16, the following passengers were interviewed at the scene: KATRINA & VINCENT RIFE; DEAN STEPKE; CARRIE & JONATHAN HITCHCOCK; ROY SZELEWSKI; and VICTORIA SHOLES. K. and V. RIFE stated that sometime after deboarding the basket they saw several people trying to hold it down. V. RIFE believed two of them to be the last deboarded passengers. They were unsuccessful and the basket ascend with one crew member hanging onto to the side. He and the basket rose to ~100' before the crew member fell. Depositions were secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosures #6-7.

STEPKE stated that at approximately 9:00 pm, he, his family, and the rest of the passengers deboarded the basket. As the last passengers deboarded he noticed the basket lift and a crew member slip while trying to hold it down. He then saw two other passengers try to hold down the basket. The basket continued to lift and everyone let it go. He then saw a crew member jump up and grab two of the loops on the base of the basket, and ascend with it. At ~700-800' elevation the crew member fell from the basket. A deposition was secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosure #8.

C. and J. HITCHCOCK stated that sometime after all of the passengers deboarded the basket it started to lift off of the ground. Once it was a few feet off of the ground all but one of the crew members let go of it. When the basket rose to his chest he grabbed onto the loops at the bottom of the basket and was carried into the air. Other crew members told him to let go, and he responded that he could not. He had ascended to ~25' at that time. He continued to ascend until he fell. Depositions were secured. Refer to

the enclosed Gen'l 4 - Supporting Deposition - Enclosures #9-10.

SZELEWSKI and his wife SHOLES stated that they were the last passengers to disembark the basket. Once disembarked they immediately assisted the crew in holding down the basket. SZELEWSKI then felt the pilot put air into the balloon to assist with getting the basket onto the cart. Soon thereafter the basket began to ascend higher and higher. As it did, he and the others excluding a crew member standing next to him released their hold on it. He then watched the crew member be carried aloft. The crew member held onto the basket for approximately 30 seconds before he began kicking his legs and fell. Before the crew member fell, he heard the crew member say, "Sean, you have to get me down," and the pilot respond, "Geez, I didn't even know you were there." Depositions were secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosures #11-12.

13) On 06/10/16, Trooper Gioguardi interviewed OLIVIA QUACKENBUSH at the scene. QUACKENBUSH stated that while driving home she saw a hot air balloon go down behind the trees. While at her residence she saw the same hot air balloon ascending. The balloon appeared to be under inflated with a person hanging off of it. She then drove to the area where she saw the balloon and saw an individual attempting to hold the balloon down, and another calling for help. She spoke with QUIGLEY who told her that R. ALMETER had fallen from the balloon. She ran to his location and found him [REDACTED]. A deposition was secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosure #13.

14) On 06/10/16, Trooper Gioguardi interviewed BRANDON SNODDY of the Nunda Fire Department. He stated that he was the first first responder on scene. [REDACTED] R. ALMETER [REDACTED]. Further checks of his person found R. ALMETER to be [REDACTED]. A deposition was secured. Refer to the enclosed Gen'l 4 - Supporting Deposition - Enclosure #14.

[REDACTED]

16) On 06/11/16, QUIGLEY took possession of the involved balloon and basket, and transported it from the scene.

17) On 06/13/16, I was contacted by MICHAEL WILLIBEY, Safety Specialist with the Buffalo Area Office of Occupational Safety and Health Administration (OSHA), AMY MALCOLM, Aviation Safety Technician with the Rochester Flight Standards District Office (FSDO), and AARON MCCARTER, Air Safety Investigator with the National Transportation Safety Board (NTSB). All were briefed in the investigation. All information in this investigation was requested to assist in their respective investigations.

18) On 06/14/16, I received information through the Livingston County Sheriff that a reporter, JOHN ANDERSON, had video relative to this investigation. I then spoke with ANDERSON at [REDACTED] who stated that one of his paper's Graphic Designers, Chelsea Amrhein, had captured photos of the airborne incident balloon prior to its initial landing. At my request he later forwarded me the pictures for review. No new or relevant information was developed upon a review of the photos. Copies of the photos are included in the case file.

[REDACTED]

20) On 06/20/16, I contacted the Monroe County Medical Examiner's Office and obtained a copy of their Death Confirmation and Summary Report on R. ALMETER. [REDACTED]. Refer to the enclosed Death Confirmation and Summary Report - Enclosure #16.

21) On 06/21/16, this case was closed by investigation. No property or evidence is being held in the custody of the New York State Police relative to this investigation. The investigation shows that R. ALMETER's death was accidental. No criminal activity is suspected and no criminal action is to be pursued. The FSDO, NTSB, and OSHA contacts in this investigation were advised of the case status and provided with any necessary information.

CLOSED BY INVESTIGATION / NO EVIDENCE / FINAL REPORT

Enclosures:

E1: Gen'l 34D
E2: Gen'l 4 - QUIGLEY
E3: Gen'l 4 - L/ PANKOW

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK

-- vs. --

Defendant(s)

INCIDENT LOCATION:STATE OF NEW YORK LOCAL CRIMINAL COURTCOUNTY OF LIVINGSTONTOWN of NUNDALOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTONTOWN of NUNDA

On 06/10/2016 at 10:39 PM I, SEAN P QUIGLEY

Date of Birth [REDACTED] No. and Street [REDACTED] C/TN PORTAGEVILLE State NY

State The Following:

1) I am speaking with Trooper Stolte regarding the air balloon accident that occurred tonight. I am the pilot of the Cameron AX11 air balloon involved. We took flight from Letchworth Park around 7:30pm with 10 customers of mine. At approximately 8:35pm, we landed in a field on Picket Line Road. I contacted my ground crew to let them know where we would be landing. There are 4 people in the ground crew including Ryan. Once we landed, The landowner was contacted to confirm it was ok to be there. We stayed in the balloon for about 10 minutes before the ground crew arrived at the field. The ground crew, including Ryan, held onto the basket while the customers exited the balloon safely. While I was still in the basket, the ground crew began to lift the basket towards the cart we put it on. The balloon was still inflated at this time. Normally we deflate the balloon but due to light winds we did not have to. At this point I felt the balloon shoot up into the air. I am not sure what caused it due to light winds in the area. It is possible not enough crew members were holding the balloon down but I am not sure. I did not notice anything mechanically wrong with the balloon to cause it to go up in the air. As we went back up into the air, I heard a voice say "Sean" and I thought it was coming from my radio. At this point, I am pulling the vent rope to get the balloon to come down. I heard Sean again, and said "Ryan are you with me?" I said "Don't you let go until I tell you to, I am bringing it down" Within a minute, [REDACTED] I got on the radio advising them to call 911. I believe I was possibly 100 feet in the air. Within 5 minutes, I was able to bring the balloon back down. I could not see what the crew did during this time. Once I landed I had Liam and Aidan Pankow help me move the balloon off the field. They advised someone had called 911 and we could hear sirens. I never made it back to the scene were Ryan fell. This was an accident. This is the end of my statement.

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 10 TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(SIGNATURE OF DEPONENT)

11:22 PM

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK

-- VS.

Defendant(s)

INCIDENT LOCATION:STATE OF NEW YORK LOCAL CRIMINAL COURTCOUNTY OF LIVINGSTONTOWN of NUNDALOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTONTOWN of NUNDA

Date On <u>06/10/2016</u>	at <u>11:22 PM</u>	I, <u>LIAM M PANKOW</u>	Full Name:
Date of Birth	No. and Street	C/TN <u>CASTILE</u>	State <u>NY</u>

State The Following:

My name is Liam Pankow and I live at [REDACTED] of Castile, County of Wyoming. My date of birth is [REDACTED] and my phone number is [REDACTED]. I am currently speaking with Trooper Eric Huynh of the New York State Police on Picketline Rd., in the Town of Nunda, County of Livingston. I am giving this statement of my own free will.

Today, at approximately 9:00PM, I was holding down the hot air balloon basket with 3 other crew members to let the passengers off of the basket. After all the passenger got off of the basket, the crew members began letting the basket rise. The basket got too high forme and I let it go. I saw everyone else let go of the basket except Ryan. I watched at Ryan got lifted up higher and higher. I chased after the balloon for a bit, but as the balloon got higher, I couldn't watch anymore, I crouched down. I did not see Ryan fall. After a short time, I looked up and saw the balloon drifting. My brother told me to go catch the balloon and I did. [REDACTED]

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor. [REDACTED]

Affirmed under penalty of perjury

this 10TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

Time Ended
<u>06/10/2016 11:35 PM</u>

(NAME OF PERSON TAKING DEPOSITION)

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK
-- vs.

Defendant(s)

<u>INCIDENT LOCATION:</u> STATE OF NEW YORK <u>LOCAL CRIMINAL</u> COURT COUNTY OF <u>LIVINGSTON</u> TOWN <u> </u> of <u>NUNDA</u>	<u>LOCATION OF DEPOSITION:</u> STATE OF NEW YORK COUNTY OF <u>LIVINGSTON</u> TOWN <u> </u> of <u>NUNDA</u>
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On	Date <u>06/10/2016</u>	at	Time Started <u>11:24 PM</u>	I, <u>AIDAN J PANKOW</u>	
Date of Birth	No. and Street			CITY	State
				CASTILE	NY

State The Following:

My name is Aidan Pankow and I work for Balloons Over Letchworth. On today's date at approximately 9:00 PM We were in the process of unloading a group of passenger from a balloon. When the last person got off the balloon it began to rise very fast. Myself and 3 other crew member and I think 2 of the passengers grabbed onto the basket and tried to hold it down. It still rose up and the passengers let go. Then two of the other crew members let go and it was just Ryan and I holding on. When my feet were about two feet (2') off the ground I let go. Ryan still held on, we were telling him to let go and next thing I knew he was really high. I looked away and looked back and saw him rise up even higher. I was really scared and I looked away for a second and then I heard everyone gasp. I looked back and saw Ryan falling. I looked away [REDACTED] didn't look again or go over because I was scared. I then called 911. [REDACTED]

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 10 TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this day of

* This form need be sworn to only when specifically required by the court

[REDACTED]

[REDACTED]

[REDACTED]

Time Ended
06/10/2016 11:35 PM

(NAME OF PERSON TAKING DEPOSITION)

[REDACTED]

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK

-- vs. --

Defendant(s)

INCIDENT LOCATION:STATE OF NEW YORK LOCAL CRIMINAL COURTCOUNTY OF LIVINGSTONTOWN of NUNDALOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTONTOWN of NUNDA

Date	Time Started	Full Name:
On 06/10/2016	at 11:27 PM	I, JOSEPH M THOMPSON

Date of Birth	No. and Street	City	State
		HUNT	NY

State The Following:

I am speaking with Trooper Stolte regarding the air balloon accident that occurred tonight. I am one of the four crew members that respond to the landing location and help get the passengers off. Once the passengers exited the basket, I am pretty sure Sean put air into the balloon enough to get it off the ground about a foot. We began to move the basket towards the cart for about 10 seconds and then the balloon suddenly went straight up in the air. We are taught to let go of the basket if it starts going back up again, which I did. I noticed Ryan was still holding onto the bottom rope when it started to go up in the air. One of the other crew members called 911 right away. I believe he was about 100-150 feet in the air when I saw him fall. It appeared that Ryan just lost his grip. I then went over to where the balloon was landing to help secure it. This is my second time working as part of the ground crew. This is the end of my statement.

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

 this 10 TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

Time Ended
06/10/2016 11:43 PM

(NAME OF PERSON TAKING DEPOSITION)

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK
-- vs. --

Defendant(s)

<u>INCIDENT LOCATION:</u>		<u>LOCATION OF DEPOSITION:</u>	
STATE OF NEW YORK <u>LOCAL CRIMINAL</u> COURT	STATE OF NEW YORK		
COUNTY OF <u>LIVINGSTON</u>	COUNTY OF <u>LIVINGSTON</u>		
<u>TOWN</u> of <u>NUNDA</u>	<u>TOWN</u> of <u>NUNDA</u>		

On <u>06/10/2016</u>	at <u>11:51 PM</u>	I, <u>KATINKA V RIFE</u>
Date of Birth <u>[REDACTED]</u>	No. and Street <u>[REDACTED]</u>	C/TN <u>TINTON FALLS</u>
		State <u>NJ</u>

State The Following:

I Katinka V. Rife am giving this statement to Tpr. DioGuardi of the NYSP in regards to the incident that took place off Pickett Line Rd. in the Town of Nunda involving a hot air balloon.

This evening at approximately 8:40 pm I along with 10 others had landed in a field next to Pickett Line Rd. We all get off except for the captain who was operating the balloon. My husband and I got off and had our backs to the balloon getting a picture taken. When we turned around we saw several people grabbing the side of the balloon in an attempt to keep the balloon down. Eventually everyone let go of the balloon but one man, who I was later told was Ryan, kept ahold of the balloon. Ryan very quickly went up into the air while hanging onto the side of the balloon. He was up very high and then I saw him fall to the ground.

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 10TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(WITNESS)

(NAME OF PERSON TAKING DEPOSITION)

Time Ended
06/10/2016 12:04 AM

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK
-- vs.

Defendant(s)

INCIDENT LOCATION:

STATE OF NEW YORK LOCAL CRIMINAL COURT

COUNTY OF LIVINGSTON

TOWN of NUNDA

LOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTON

TOWN of NUNDA

Date On <u>06/10/2016</u>	at Time Started <u>11:00 PM</u>	Full Name: I, <u>VINCENT H RIFE</u>
Date of Birth <u>[REDACTED]</u>	No. and Street <u>[REDACTED]</u>	C/T/V <u>TIN TON FALLS</u>
		State <u>NJ</u>

I State The Following:

My name is Vincent Rife and I live at [REDACTED] Tin Ton Falls, State of New Jersey. My date of birth is [REDACTED] and my phone number is [REDACTED]. I am currently speaking with Trooper Eric Huynh of the New York State Police on Picketline Rd., in the Town of Nunda, County of Livingston. I am giving this statement of my own free will.

Today, at approximately 9:00PM, after my wife and I got off the hot air balloon, we wait to the side as the rest of the passengers got off of the basket. I was talking to my wife when I heard some commotion. I looked towards the balloon and saw that the last couple from the balloon was trying to hold down the balloon with the crew members. As the balloon raised higher, I saw everyone let go except for one crew member. The one crew member continued to hang on to the basket. I don't think pilot Sean Quigley, knew that a crew member was hanging from the basket. I am guessing that the balloon was about 100 feet before the crew member fell. I didn't see the crew member hit the ground, but I did see him falling. After seeing the crew member fall, I ran towards him [REDACTED]. The crew member was motionless. I [REDACTED] I stayed until emergency crew showed up. [REDACTED]

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person knows to be false, and which is material to the proceeding, committed a crime under the laws of the state of New York punishable as follows:

Affirmed under penalty of perjury

this 10 TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____, 2016

(SIGNATURE OF DEPOSANT)

(WITNESS)

(NAME OF PERSON TAKING DEPOSITION)

Time Ended
06/10/2016 11:14 PM

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK

-- vs.

Defendant(s)

INCIDENT LOCATION:STATE OF NEW YORK LOCAL CRIMINAL COURTCOUNTY OF LIVINGSTONTOWN of NUNDALOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTONTOWN of NUNDA

On <u>06/10/2016</u>	at <u>10:26 PM</u>	I, <u>DEAN F STEPKE</u>	Full Name:
Date of Birth	No. and Street	CITY	State
		CHESTERFIELD	MO

I state The Following:

My name is Dean Stepke and I [REDACTED] Chesterfield, State of Missouri. My date of birth is [REDACTED] and my phone number is [REDACTED]. I am currently speaking with Trooper Eric Huynh of the New York State Police on Picketline Rd., in the Town of Nunda, County of Livingston. I am giving this statement of my own free will.

Today, at approximately 9:00PM, the hot air balloon that we were in landed in a field and the pilot told us to wait until he told us we can get out. When the pilot said we could get out, my family of four got out first. Then the other two passengers on the other side of the basket got out one at a time. After all the passengers got out of the basket, I noticed that the basket lifted up a bit. One of the crew member slipped a bit as he was trying to reposition himself trying to hold down the basket. Then I saw the two other passengers that got off was trying to hold the basket down. Then, as everyone let go of the basket and the basket continued to rise, I saw one crew member jumped up to grab two loops that was hanging around the basket. The hot air balloon raised quickly with the crew member hanging on to the side of the basket. I heard the crew member say "hey Sean, you need to get me down." I don't think the pilot knew the crew member was hanging on the side of the basket. The hot air balloon got up to approximately 700 or 800 feet when the crew member fell from the hot air balloon. I couldn't see the crew member hit the ground because of the trees [REDACTED]

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 10 TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(SIGNATURE OF DEPONENT)

(WITNESS)

Time Ended	06/10/2016	10:49 PM
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(NAME OF PERSON TAKING DEPOSITION)

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK
-- vs.

Defendant(s)

INCIDENT LOCATION:

STATE OF NEW YORK LOCAL CRIMINAL COURT

COUNTY OF LIVINGSTON

TOWN of NUNDA

LOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTON

TOWN of NUNDA

On 06/10/2016 at 11:44 PM I, CARRIE E HITCHCOCK

Date of Birth	No. and Street	C/T/N	State
		LEROY	NY

State The Following:

Today I was taking a balloon ride and after about an hour and a half ride we landed in a field. Some crewmen got to us fairly quickly and they were holding it down as we all got off. When the last person got off the balloons began to rise very quickly. I heard the one gentleman, Sean, say to the man who fell, "let go". The man said "I can't". He was about 25 feet up at that point. We watched as he held on and the balloon kept rising. he drifted over the tree tops and then I saw him fall down. He seemed to be a couple hundred feet high at that point. I didn't see him land because of the trees. One man ran over to see if he could help. I was unable to really do anything I was crying on my husbands shoulder. I wish there was something I could have done.

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 10TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(WITNESS)

(NAME OF PERSON TAKING DEPOSITION)

Time Ended
06/10/2016 11:55 PM

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK

-- vs.

Defendant(s)

INCIDENT LOCATION:STATE OF NEW YORK LOCAL CRIMINAL COURTCOUNTY OF LIVINGSTONTOWN of NUNDALOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTONTOWN of NUNDAOn 06/10/2016 at 11:41 PM I, JONATHAN P HITCHCOCKDate of Birth No. and StreetC/T/V
LE ROYState
NY

State The Following:

My name is Jonathan P. Hitchcock and I live at [REDACTED] Town of Stafford, County of Genesee. My date of birth is [REDACTED] and my phone number is [REDACTED]. I am currently speaking with Trooper Eric Huynh of the New York State Police on Picketline Rd., in the Town of Nunda, County of Livingston. I am giving this statement of my own free will.

Today, at approximately 9:00PM, my wife and I got out of the hot air balloon basket and waited along the side as the crew members were holding down the balloon. After all the passengers got out of the basket, the crew members were holding on the side of the basket. The crew had it stable for approximately 1 minute before the basket started to lift off of the ground. Once the basket got about 2 feet off of the ground, all the crew member let the basket go except Ryan. As the basket got to Ryan's chest, I saw he grab the loops at the bottom of the basket with both hands. As the balloon got higher, the crew members told Ryan to let go, but Ryan responded that he couldn't let go. I saw Ryan fall from the basket, but I didn't see him hit the ground because of the trees [REDACTED].

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor. [REDACTED]

Affirmed under penalty of perjury

this 10TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(SIGNATURE OF DEPONENT)

WITNESS

Time Ended
06/10/2016 11:52 PM

(NAME OF PERSON TAKING DEPOSITION)

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK
-- vs.

Defendant(s)

INCIDENT LOCATION:

STATE OF NEW YORK LOCAL CRIMINAL COURT

COUNTY OF LIVINGSTON

TOWN of NUNDA

LOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTON

TOWN of NUNDA

On 06/10/2016 at 11:48 PM I, ROY J SZELEWSKI

Date of Birth	No. and Street	CITY	State
		PITTSFORD	NY

State The Following:

I am speaking with Trooper Stolte regarding the air balloon accident that occurred tonight. I was a passenger on the air balloon and this is my 4th time going up with this pilot. We left from Letchworth State park around 7:40pm and had no issues during the flight. Around 8:40pm we landed in the field on Picket Line Road without any issues. We waited about 10 minutes for the ground crew to come to our location. We then exited the basket one by one without any trouble. My wife Vicki and I were the last ones off the balloon and then immediately helped the ground crew hold onto the basket. I felt the pilot put some air into the balloon to help move it towards the cart. Within a minute, I felt the balloon gradually rise up further and further. I was off the ground for less than 5 seconds and approximately 2 feet when I let go. Others around me were also letting go. I was on the other side of the basket from where Ryan was holding on. We stood there in shock and mostly believed the balloon was going to eventually start coming down. I heard Ryan say "Sean, you have to get me down". Sean then said "gezz i didn't even know you were there". That was the last conversation I heard between them. Ryan appeared to be holding on ok for about 30 seconds then he started to kick his legs and fell. After he fell, another passenger called 911 on her cell phone. The group started to walk out towards the road. I was in shock and began to walk towards Ryan's possible location with my Wife. My wife stayed at the road and I went to meet up with another passenger who was at the scene where Ryan fell. I could [REDACTED] No one touched him until EMT's arrived. This is the end of my statement.

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 10TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(SIGNATURE OF DEPONENT)

(WITNESS)

(NAME OF PERSON TAKING DEPOSITION)

Time Ended
06/10/2016 12:07 AM

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK
-- vs.

Defendant(s)

<u>INCIDENT LOCATION:</u> STATE OF NEW YORK <u>LOCAL CRIMINAL</u> COURT COUNTY OF <u>LIVINGSTON</u> <u>TOWN</u> of <u>NUNDA</u>	<u>LOCATION OF DEPOSITION:</u> STATE OF NEW YORK COUNTY OF <u>LIVINGSTON</u> <u>TOWN</u> of <u>NUNDA</u>
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On	Date <u>06/10/2016</u>	at	Time Started <u>11:35 PM</u>	I,	Full Name: <u>VICTORIA L SHOLES</u>
	Date of Birth		No. and Street		
					CITY <u>PITTSFORD</u>
					State <u>NY</u>

State The Following:

I Victoria L. Sholes am giving this statement to Tpr. DioGuardi of the NYSP in regards to the incident that took place off Pickett Rd in the Town of Nunda that involved a hot air balloon.

This evening at approximately 8:45pm we had finished hot air balloon ride and had landed in a field off Pickett Rd in the Town of Nunda. I was the last to climb out of the hot air balloon. The balloon started going up in the air and several of us grabbed onto the side of the balloon in an attempt to keep it on the ground. Everyone eventually let go of the balloon because it began lifting us up off the ground. Ryan was the only one who kept ahold of the balloon and it went approximately 100 feet up into the air. I then saw Ryan fall from the air

Notice

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Affirmed under penalty of perjury

this 10TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(WITNESS)

(NAME OF PERSON TAKING DEPOSITION)

Time Ended
06/10/2016 11:48 PM

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK
-- vs.

Defendant(s)

INCIDENT LOCATION:

STATE OF NEW YORK LOCAL CRIMINAL COURT

COUNTY OF LIVINGSTON

TOWN of NUNDA

LOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF LIVINGSTON

TOWN of NUNDA

On 06/10/2016 at 11:06 PM I, OLIVIA R QUACKENBUSH

Date of Birth No. and Street

C/TN
NUNDAState
NY

State The Following:

I Olivia R. Quackenbush am giving this statement to Tpr. DioGuardi of the NYSP in regards to the incident that took place on Pickett Line Rd in the Town of Nunda.

My boyfriend, Ashton Davis and I were at our apartment located at [REDACTED] of Nunda. Approximately 5 minutes prior to arriving to our apartment we saw the hot air balloon go down into the trees. My boyfriend and I were putting the motorcycle away when we saw the hot air balloon going back into the air. It appeared the balloon was under inflated and we saw what looked like a person hanging off it. We jumped into my jeep and came directly off Gibbs St. to Pickett Line Rd. When we arrived I saw what looked like one person attempting to hold the balloon down, and another person was on the phone I believe calling for help. Shawn who is in charge of the balloon rides told me that Ryan had fallen from the balloon. I asked where Ryan was and they pointed me in the direction down into a field and I then ran to Ryan. When I got there Ryan [REDACTED] There were two guys saying that Ryan was not [REDACTED] I told them I felt like I should have helped but they said there was nothing I could do. Right after that the ambulance crew started showing up and I back right out of the way.

Notice

(Penal Law §210.45)

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Affirmed under penalty of perjury

this 10TH day of JUNE, 2016

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(SIGNATURE OF DEPONENT)

Time Ended
06/10/2016 11:31 PM