

GENI-4 (03/05)

New York State Police

SUPPORTING DEPOSITION (CPL § 100.20)

PAGE 1 OF 1

THE PEOPLE OF THE STATE OF NEW YORK
—VS.

DEFENDANT(S)

LOCATION OF INCIDENT:

STATE OF NEW YORK COURT

COUNTY OF Chenango

Town OF McDonough

LOCATION OF DEPOSITION:

STATE OF NEW YORK

COUNTY OF Broome

Village OF Johnson City

On DATE: 08/08/16 at TIME STARTED: 7:23 pm

FULL NAME

I, [REDACTED], state the following: Today, some time, I think, between 3:00 and 4:00 pm, I was a passenger in a plane piloted by JAOSHIANG LUO. I was sitting in the back on the left-hand side of the plane and I and the other two passengers were taking pictures of the Tibetan Buddhist Center in McDonough. I noticed that the plane was descending and then the plane hit a tree. I don't know why the crash happened, I don't remember hearing anything before the plane hit the tree and I was not injured in the crash. The pilot got out of the plane first, then I got out and helped the other two passengers out. The plane was facing nose pointed downward. [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 8th day of August, 2016

-OR-

* Subscribed and Sworn to before me

this _____ day of _____

(SIGNATURE OF DEPONENT)

TIME ENDED: 7:41 pm

1. Agency CI TROOP C - ZONE I		2. Div/Precinct C151		New York State INCIDENT REPORT		3. ORI NY1380100		5. Case No. TPR5683		6. Incident No. 7066303	
7,8,9. Date Reported (Day, Date, Time) MONDAY 08/08/2016 15:28				10,11,12. Occurred On/From (Day, Date, Time) MONDAY 08/08/2016 15:28				13,14,15. Occurred To (Day, Date, Time)			
16. Incident Type ACCIDENT-AIRCRAFT ACCIDENT						17. Business Name					
19. Incident Address (Street Name, Bldg. No., Apt. No.) 464 HOLLOW RD											
20. City/State/Zip SMITHVILLE NEW YORK 13841											
21. Location Code (TSLED) SMITHVILLE TOWN 0969				23. No. of Victims 0		24. No. of Suspects 0		26. Victim also Complainant?			
Location Type FIELD/WOODS											

ASSOCIATED PERSONS

25. TYPE	Name (Last, First, Middle, Title)	DOB	Street Name Bldg. Apt. No. City, State, Zip	Res. Phone Bus. Phone
DRIVER I	JAO-SHIANG, LUO			
PERSON INTERVIEWED	TSEKYI, SONAM			
PERSON INTERVIEWED	MIDDLETON, EDWARD, W			
PERSON INTERVIEWED	CHIAJOU, HUANG			
PERSON NOT (YET) INTERVIEWED	SHERAB, NYIMA			
		NY		

VEHICLE

59. Vehicle Status BURNED		60. License Plate No.		61. State NY	62. Exp. Yr.	64. Value
63. Plate Type		65. Year	66. Make 67. Model AIRCRAFT UNKNOWN			
68. Style SINGLE-ENGINE JET		69. VIN		70. Color(s)		
71a. Towed By		71b. Towed To				
72. Vehicle Notes TAIL # N 30923						

NARRATIVE

Date of Action 08/08/2016	Date Written 08/08/2016	Officer Name & Rank WARD, JOSEPH (TPR)
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Narrative

INITIAL ENTRY

I was dispatched by CCSO to a the area of 464 Hollow Rd in the T/Smithville for a confirmed report of a plane crash. Myself and Inv Griffiths patrolled to the area of Palyul Retreat Center located on Hollow Rd. Upon are arrival we spoke with EMS and FIRE who stated that all four passengers of the plane had escaped the crash with non life threatening injuries and transported to Wilson Hospital. We located the crash site, which according to Fire, was fully engulfed in flames and was quickly contained and extinguished. Investigation showed the plane to be a Cessna Cardinal with a Tail Number of N 30923. Smithville Fire Chief, HAROLD LUES, advised that the pilot had stated that he was flying low as to allow his passengers to take photographs, and in turn flew to low and crashed. Further interview of pilot and passengers to be handled by INV HANNIGAN and TPR SEARLS.

I interviewed EDWARD W. MIDDLETON (11/10/48) who stated that he was standing on the northside of the dining hall at the Palyul Retreat Center when he saw the plane fly over the camp three times. On the third time, MIDDLETON stated that the plane

was flying north, very low near the tree tops. He explained that seconds after the plane cleared the trees, he heard the breaking of branches then a loud bang. He stated he had someone call 911 and explained that shortly after the passengers made it out of the plane that the plane erupted in flames. At that point, he explained, that he left the forest. SUPP DEP procured from MIDDLETON.

INV GRIFFITHS secured deposition from MARY G PRATT

INV HANNIGAN secured depositions from JAOSHIANG and CHIAJOU

DEPOSITION OF JAOSHAING (PILOT)

JAOSHAING stated that at about 3:30PM he that noticed that the plane was a little low , at least 30-50 ft above the trees. He stated that he put the flaps at zero and explaining that he thought he pushed the throttle to full, but wasn't sure. The plane, however did not climb, but dropped in a nose down motion; leading to the plane crashing. He explained that he and the other passengers were able to get out of the plane. JAOSHAING explained that he had been flying low to allow his passengers to take photographs.

DEPOSITION OF CHIAJOU (PASSENGER)

CHIAJOU stated that he and the other two passengers were taking pictures of the Tibetan Buddhist Center in McDonough. He explained that he noticed that plane descending and then hit a tree. He stated that he didn't know why the crash happened and doesn't rememeber hearing anything before the plane hit. CHIAJOU stated that he was not injured in the crash.

FAA notified.

Date of Action	Date Written	Officer Name & Rank
08/09/2016	08/09/2016	WARD, JOSEPH (TPR)

Narrative

CLOSING ENTRY

I met with SCOTT M GILLSON, FAA Aviation Safety Inspector, who conducted an initial investigation at the crash site.

Pilot and all passengers in stable condition.

FAA notified of conclusion to NYSP investigation. All information to be TOT'd to FAA. No further SP action required.

TOT'd to FAA

ADMINISTRATIVE

74. Inquiries	75. NYSPIN Message No.	76. Complainant Signature	
77. Reporting Officer Signature (Include Rank) TPR JOSEPH WARD	78. ID No. 5683 5683	79. Supervisor Signature (Include Rank)	80. ID No.
81. Status TOT-OTHER	82. Status Date 08/08/2016	83. Notified/TOT	
Solvability Total			0