



RECORD OF CONVERSATION

Witness Statement

Lynn Spencer
Air Safety Investigator
Eastern Region Aviation

Date: August 26, 2022

Person Interviewed: Mr. Alain Aguayo (Lopez), Certified Flight Instructor

Contact # [REDACTED]

NTSB Accident Number: ERA22FA384

Narrative:

The following is a summary of a conversation that occurred with the individual named above:

Mr. Aguayo was interviewed in an office/classroom in his home on August 26, 2022, at 0945. He provided a phone number of [REDACTED] and an e-mail address of [REDACTED].

At the beginning of the interview, he was advised that the NTSB is a federal agency mandated by Congress to investigate airplane accidents, and NTSB has no authority to take any action against any individual. He/she was also informed that the purpose of an NTSB investigation is for safety only, and any person NTSB talks with has the right to representation; he agreed to the interview without representation.

Mr. Aguayo was doing the Upset Prevention and Recovery Training (UPRT) for the three Peruvian Air Force pilots in his Decathlon, N969AA. Prior to the accident, he was also storing the accident airplane in the hanger at his house.

We asked the following:

Q: What was the arrangement and how were you involved with the accident pilots?

A: Mr. Velickovich set up the arrangement with the Peruvian Air Force and asked Mr. Aguayo if he would do the UPRT course since he was a Certified Flight Instructor (CFI). He also asked Mr. Aguayo if he would do some training and demo flights in the accident airplane but Mr. Aguayo declined since it would be too much workload and was not current in the airplane. Cristian Bolton was to be checked out in the accident airplane before the next group of people came up from Peru so he could teach in it since Mr. Velickovich was not a CFI. There were two additional groups of pilots scheduled to travel to the United States for UPRT after this group returned to Peru. The accident airplane was being used to demonstrate its capabilities since it was being considered along with the Extra 330LX and Gamebird to be purchased for the aerobatic team they were forming in Peru. The main priority was for the three pilots who came up to do their UPRT and get certificates of completion to take back to Peru. The accident flights were only supposed to be demonstrations.

Q: Were you getting paid or was it voluntary?

A: Mr. Velickovich was paying and had cut Mr. Aguayo a check the morning of the accident before completing the last flight of the UPRT course which they had agreed to.

Q: Tell us about the day.

A: They took the accident airplane up twice in the morning and Mr. Velickovich did his demonstration flights but did not tell what maneuvers he was planning to do. Before they were able to do the third flight some clouds moved in around 1,500 ft msl and they delayed the last demo flight. Around 1300 Cristian Bolton showed up and taught a ground school lesson on aerobatics and by 1600 the weather was good enough to fly. Mr. Aguayo took Major Johnson up to fly again in the Decathlon 30 minutes after the accident flight pilots were briefing and departed for their flight. When they returned roughly 40 minutes later, they noticed the accident airplane was not back in the hangar which they found odd because the plan was for 30-minute demo flights. Mr. Aguayo mentioned that normally there was only gas in the header tank when aerobatics were going to be performed (he thought the header tank contained about 17 gallons). Mr. Aguayo went and checked FlightAware and noticed the airplane position was not changing so he took Mr. Samanez and they went looking for the airplane in the Decathlon. When they found the airplane, they contacted Daytona Approach and reported the downed airplane, the sheriff's office helicopter was sent and located the wreckage.

Q: Mr. Samanez described a maneuver they did as a cross controlled tumble what might this have been?

A: It was likely gyroscopic maneuver like the Lomcovák which is a common airshow maneuver, but it can't be left to develop too much, or it can become unpredictable.

Q: Both pilots described a vertical climb with pull through recoveries and hammer head recoveries are these normal recovery procedures?

A: Yes, those are both acceptable recovery procedures.

Q: What maneuver would put the most stress on the tail section?

A: Tumbles or any excessive elevator usage

Q: Do you know the g-limits on the airplane?

A: Not that specific airplane but I believe it was +/-12 G

Q: You saw the airplane wreckage from the sky and noted that it inverted. Could the recovery from any of the maneuvers they were performing result in an inverted flat spin?

A: If they stalled inverted with full right rudder and full power, it is possible they could get into a situation like this one.

Mr. Aguayo stated that when doing UPRT in the Decathlon they were using the south practice area frequency to announce intentions.

Q: What were the three Peruvian pilots' piloting credentials?

A: Just their Air Force, no U.S. pilot certificates.

Q: Did they keep a logbook or ask for any logbook endorsements?

A: No, they just wanted a completion certificate.

Q: How was their flying?

A: Very good and competent. It was a reprieve from my normal clientele as they were curious and very interested in the subject matter. They were very humble and eager to learn.

Mr. Aguayo mentioned that Mr. Samanez had ejected from a fighter jet when it had entered a spin so was curious about that subject.

Q: Did they appear fit to fly?

A: Yes. He suggested that we look up the accident of Paul Lopez as it seemed similar, also mentioned that the accident plane had been used for the Red Bull air races earlier in its life so had many modifications.

In a follow-up conversation with Mr. Aguayo on August 31, 2022, he stated Mr. Velickovich arrived in town with fuel in the airplane's wing tanks and he did ask Mr. Aguayo for a fuel container to drain fuel from the wing tanks. Mr. Aguayo did not know how much Mr. Velickovich drained from the wing tanks; however, it was a 5 gallon container and he believe he had dumped the fuel back into the header tank.

The digest was e-mailed to him for review on August 29,2022. He replied on August 30, 2022, at 1227 EDT with comments that were incorporated into the narrative. The corrected digest was e-mailed to him on August 31, 2022.



RECORD OF CONVERSATION

Statement from MX2 aerobatic pilot

Lynn Spencer
Air Safety Investigator
Eastern Region Aviation

Date: December 2, 2022
Person Interviewed: Mr. Gary Ward
Contact # [REDACTED]
NTSB Accident Number: ERA22FA384

Narrative:

The following is a summary of a conversation that occurred with the individual named above:

Mr. Ward was called on December 2, 2022, at 1308 EST at [REDACTED]. He provided an e-mail address of [REDACTED]

Mr. Ward stated that he owns an MX2 and is an aerobatic pilot. He stated that he flew the very initial flights on this airplane after it was built. He explained that, generally, during aerobatic flight, only the header tank is filled, although "you can have a little gas in the wing tanks." He stated that the airplane holds 20 gallons of fuel in each wing, and 16 gallons in the header tank.

I asked Mr. Ward how the airplane's performance and aerobatic maneuver recovery might be impacted if the airplane was flown above the weight limit for aerobatic flight and he responded that he did not know because he had never done that. I asked him if he would review the weight and balance calculations that I had completed, and he agreed. I asked him if the elevator would typically be full back (up) in order to recover from an inverted flat spin and he said that yes, that full back elevator would have been the normal input for recovery from an inverted flat spin. He added that if you pull back on the elevator too soon, you can accelerate the spin. I shared the maneuvers that Mitch had been flying on the previous demo flights that day, and he stated that a Hammerhead is an easy maneuver from which to enter an inadvertent spin. When you go vertical, and if you kick left rudder and go over, the airplane has a tendency to want to go on its back, and you have to use ailerons to keep it from going onto its back. He stated that he did not believe that Mitch would intentionally do an inverted spin, or even an upright spin, with passengers given his weight. He does spins with passengers, but he weighs a lot less.

The digest was e-mailed to him for review on December 2, 2022. He replied on December 5, 2022, at 1133EST with no edits. The final digest was e-mailed to him on December 22, 2022.



RECORD OF CONVERSATION

Statement from friend of pilot

Lynn Spencer
Air Safety Investigator
Eastern Region Aviation

Date: August 26, 2022

Person Interviewed: Mr. John Calvert, friend of Mr. Velickovich (accident pilot)

Contact # [REDACTED]

NTSB Accident Number: ERA22FA384

Narrative:

The following is a summary of a conversation that occurred with the individual named above:

Mr. Calvert was interviewed at a gas station in Daytona where I met him to return Mr. Velickovich's phone per Mrs. Velickovich's request on August 26, 2022. He provided a phone number of [REDACTED] and an e-mail address of [REDACTED]. Also present was Mr. Velickovich's brother Vladimir.

He accepted the cell phone and shared that in May 2022, Mr. Velickovich took a large passenger flying and they did a tumble (Lomcovák) maneuver. Mr. Velickovich told him that because of her weight, the airplane exited into a flat spin. Mr. Calvert did not recall it had had been an inverted flat spin, but stated that he had been able to recover.

Mr. Calvert did not know if Mr. Velickovich had inspected the airplane after that occurrence. He indicated that Mr. Velickovich was a mechanic as well as a pilot.

He said that we may want to speak to Mr. Gary Ward, who is also an MX2 airshow pilot. His number is [REDACTED]
[REDACTED]

The digest was e-mailed to him for review on August 29, 2022. He replied on August 29, 2022, at 1800 EDT with comments that were incorporated into the narrative. The corrected digest was e-mailed to him on August 30, 2022.



RECORD OF CONVERSATION

Witness Group Statement

Lynn Spencer
Air Safety Investigator
Eastern Region Aviation

Date: August 25, 2022

Persons Interviewed: Peruvian Embassy Deputy Air Attaché (Miami) and Peruvian Air Force Pilots

Contact # [REDACTED]

NTSB Accident Number: ERA22FA384

Narrative:

The following is a summary of a conversation that occurred with Colonel Jose Francisco Samanez Fuentes, Commander of Peru's 6th Air Group) and Major Christopher Johnson (Chief of Peruvian Air Squadron), both pilots in Peru's Air Force. Peruvian Embassy Deputy Air Attaché Gustavo Orbegoso Schuler was present during the interview. He provided e-mail address of [REDACTED] and phone numbers [REDACTED] (personal) and [REDACTED] (office). Also present were FAA Inspector Michael Loehlein of the Orlando FSDO and NTSB Investigator Josh Young. Detective Dan Galarza of the Volusia County Sheriff's Office was present and provided translation services as needed.

Mr. Samanez and Mr. Johnson were foreign nationals who came to the United States for flight training along with their colleague Miguel Duarte, who sustained fatal injuries in the accident. Mr. Samanez and Mr. Johnson were interviewed in person at a location several minutes from the accident location.

Mr. Samanez stated that he and Mr. Johnson and Mr. Duarte arrived in the United States on August 21, 2022 and were staying at the Hilton Hotel in Daytona. He stated that they came to the United States for Upset Recovery and Prevention Training (URPT) as well as training in aerobatic maneuvers. He explained that Peru was going to be putting together an Air Force aerobatic team and that Mr. Velickovich's company had been awarded the contract to provide the training. He indicated that Mr. Velickovich was from Peru and knew someone in the Peruvian Air Force. He stated that they each had scheduled three flights of URPT in a Decathlon airplane (N969AA) with flight instructor Alain Aguayo and two instructional flights in the accident airplane with Mr. Velickovich. At the time of the accident, each of them had flown one of the two scheduled 30-minute flights. The accident was Mr. Duarte's first flight in the accident airplane for aerobatic training with Mr. Velickovich.

Mr. Samanez stated that his flight in the accident airplane had taken place between Lake Ashby to the west and some power lines to the east, between 2,000-4,000 ft msl. This area was noted on a sectional chart as an aerobatic flight area. He stated that they performed loops, vertical flight with rolls, hammerheads, half-Cuban eights, and Lomcováks.

Mr. Johnson stated that he flew first in the accident airplane that morning and the first maneuver was a simple loop (a total of two were performed), then two vertical climbs with rolls (one rolling to the left and one rolling to the right). When asked how they recovered from these, he indicated that they recovered from one with a hammerhead maneuver (using rudder to cause the nose to pitch over into a recovery attitude) and one with an elevator pull through to bring the nose down while inverted before rolling wings level. They then flew two hammerhead maneuvers and finished off with half-Cuban eight maneuvers.

He explained that for both the hammerhead maneuver and the vertical climb with rolls the minimum speed was 40 kts which was when the recovery was initiated. Mr. Samanez explained that Mr. Johnson had been informed that they reached 7 G-loads during his flight. Mr. Samanez told Mr. Velickovich that they needed only progressive maneuvers and nothing with too many G's or too complicated.

Mr. Samanez flew second that morning and told Mr. Velickovich that he only wanted basic aerobatic maneuvers to get a feel for the airplane's characteristics as it was one of the airplanes being considered for purchase for the aerobatic team. When they first got to the practice area, they had traffic when clearing the area so instead of a loop they just did basic inverted flight and steep turns from 60°-90°. Mr. Samanez stated that the airplane was extremely responsive to control inputs and had a lot of power. They then flew two vertical climbs with four aileron rolls in each climb and recovered by pulling through on the elevator. They then did what can best be described as a tumble through the air by cross controlling the aileron and rudder, a Lomcovák. This maneuver was recovered by neutralizing the controls and reducing power.

The afternoon of the accident, Mr. Johnson had been flying the Decathlon while Mr. Duarte flew with Mr. Velickovich in the accident airplane. When they landed at Spruce Creek, they were surprised that Mr. Duarte and Mr. Velickovich had not returned since the airplane did not have enough fuel to fly that long, and they looked on Flightaware and saw the flight progression had stopped east of Lake Ashby. They departed to that area in the Decathlon to look for the accident airplane, and when they located it inverted in the marsh, they radioed to air traffic control that the airplane had crashed at that location.

They added that the accident flight was delayed due to weather and that in the time between the last flight of the morning and the accident flight Cristian Bolton came and spoke with the pilots about aerobatics.

They mentioned that there was a camera on the bottom of the plane used to see in front of the airplane when taxing. Also mentioned that there was a camera in the front of the cockpit during the first flight of the day with Mr. Johnson but that the battery had died, and it was left behind for the two subsequent flights.

We asked the following questions:

Q: What kind of piloting experience did Mr. Duarte have?

A: Both responded that he was a very competent, well-trained pilot and had a lot of experience in the KT-1 aircraft where he was an instructor in the Peruvian Air Force. They mentioned that the KT-1 is like the US T-6. They also mentioned that he had some time in an Extra 300 series aircraft.

Q: Did you have safety briefings?

A: Yes

Q: What was covered?

A: Emphasis that safety was the #1 priority, went over how to get out of the airplane, what altitudes the maneuvers would be performed at and where, major emphasis on positive exchange of flight controls and a review of the current WX before each flight.

Q: Were there any known maintenance issues?

A: No. Both pilots stated that the engine seemed very powerful and that the controls were very sensitive. Mr. Samanez explained that the purpose for the MX2 flights was demonstration of the airplane's capabilities. He mentioned that once during his flight he handed controls back to the pilot in the back when he got uncomfortable, and the pilot was able to recover the airplane. Mr. Johnson mentioned that a limitation told to them was that they could not pull full elevator deflection over 180 kts or it could cause blackout. Mr. Samanez made it clear that Mr. Duarte was proficient with parachute usage and had gone to bed at 2100 the night before the accident.

Q: Do you all have logbooks or keep track of what you've been doing?

A: No, perhaps Mr. Aguayo had records

Q: How did Mr. Velickovich get the contract to do this training?

A: There was a public bid put out by the Peruvian Govt and he won the bid. The pilots were here on A2 Visa's on official business for the Peruvian Air Force. To win the bid it had to be a Peruvian company.



RECORD OF CONVERSATION

Recovery Personnel

Lynn Spencer
Air Safety Investigator
Eastern Region Aviation

Date: August 27, 2022

Person Interviewed: Mr. Thomas Longwell, Florida Air Recovery

Contact # [REDACTED]

NTSB Accident Number: ERA22FA384

Narrative:

The following is a summary of a conversation that occurred with the individual named above:

Mr. Longwell is employed by Florida Air Recovery and led the recovery N263MX from Osteen, Florida. I spoke with him at Florida Air Recovery during the examination of the wreckage. He provided a phone number of [REDACTED] and an e-mail address of [REDACTED]

Mr. Longwell stated that they cut through all rods, hoses, and spars when they removed the wings for recovery and that a total of 10-15 gallons of fuel drained from the wings (in total). He stated that the rudder and aileron control continuity were confirmed through cuts made to facilitate recovery, although at the wreckage layout, no left aileron tube or rod was present from the wing root cut to a fractured rod end thread at the aileron torque tube bell crank in the cockpit. Mr. Longwell indicated that the missing section may have fractured and been lost during the recovery from the marsh.

The digest was e-mailed to him for review on January 26, 2023. A response was received on February 9, 2023, at 1021 EST, indicating that "there are no corrections that need to be made." The final digest was emailed to him on February 9, 2023.