



U.S. Department
of Transportation
**Federal Aviation
Administration**

Louisville Flight Standards
District Office
10200 Forest Green BLVD
Suite 310
Louisville, KY 40223

Passenger Statement

Date: 5/12/2022 Time: 8:10pm CDT

Location: KOWB (Runway 18)

Name: Kyle W Smith

Phone Number: Day: _____ Cell: [REDACTED]

Address: [REDACTED]
Columbus, IN 47203

E-Mail: [REDACTED]

Occupation: [REDACTED] Employer: [REDACTED]

Where were you in relation to and at the time of the accident?

At the time of the accident I was in the front right seat of N92913.

In your own words state what occurred and any injuries sustained (Use reverse side of page if necessary)

The following day (5/13/2022) I wrote out a detailed report of what happened. I've copied that document and put in in the pages below. I also listed out my injuries in that document, as well. I took pictures of my injuries on 5/13 and have those available, upon request. I also have our speed/track information from the ADSB as recorded in ForeFlight. Again, available upon request.

Signature: [REDACTED] Date 5-18-2022

Events of Bakalar Flying Club Event – May 12, 2022
 Report By: Kyle Smith on 5/13/2022

Souls on Board:

Pilot: Greg Ellis

Passengers: Kyle (Front Seat), Kunal Tayal (Rear Seat)

Date/Time of Incident: 5/12/2022 @ roughly 8:10pm CDT

- 1) I had flown N78548 from KBAK to KOWB with Greg and Kunal earlier in the day. We were flying down to meet with other club members. A separate group had flown down in N92913 and arrived at KWOB without incident. During our flight Greg states that he is night time current and it's been 53ish days since his night landings. He also stated he did them with a CFI.
- 2) Cessna N92913 was parked in front of Mid America FBO.
- 3) Kunal entered co-pilot door and sat in the back. I sat in the co-pilot seat. The time was shortly after 7:48pm CDT (referenced group photo taken before leaving)
- 4) Greg walked around the plane while we were sitting doing his preflight.
- 5) Greg entered the plane and him and I put on the shoulder straps and lap belt restraints. Greg did not give Kunal instructions on how to secure and unlatch the seat restraints in the back seat.
- 6) Greg appeared to be fumbling with being able to see. He was wearing his yellow tinted glasses. He asked me make radio calls in the air. I said I would. He proceeds to startup the engine; no checklist is used. He's struggling with seeing and asks for where the lights are. I turned on the switch for the white post lights which is located to the left of the yoke. I put on my headlight turned it on to make sure it was red and then turned it off. We listen to the weather on Com 2 and he adjusts the altimeter. He makes a statement about the winds and the light crosswind component. Something about a xwind component of only 2knots which is "basically nothing" to quote him. I'm entering the radio frequencies for OWB Ground and Tower into the 430. I connect my iPad to the Flightstream 210 and loaded Foreflight. We roll forward very slowly, enough for me to be confused. He asks if I'm going to make the radio call. I proceed to make the call to Ground that we are ready to taxi. We were given taxi instructions to 18 via Golf, Charlie, Cleared to cross 24. We all have a conversation while taxiing. As we're approaching 24 I hear ground say 923... I asked to repeat and we're instructed to hold short of 24. We complied. Greg does his run up while we're holding short; no checklist was used. During the mag check he runs the engine to 2000rpm and switches to mags very quickly, he feathered the prop once. The mag check appeared to be OK. Taxiing was fast and not on centerline. Greg asked Kunal if he knew what the VOR was and pointed it out. I described what a VOR is and how it functions. During the taxiing, we swerved back and forth, not bad, just not in a way I'd expect a seasoned pilot to taxi. Greg's fumbling and lack of confidence in the pilot seat gave me a bad vibe. He seemed to be searching for gauges and looking for the things. I had a strange feeling and double checked my shoulder straps and lap restraint to make sure they were tight and secured.
- 7) I call up Tower and let them know we are ready for Departure on 18 and they clear us. I looked at the trim wheel and it appears to me the trim wheel is in a Nose Down trim. Maybe at the "T" on the "Take Off". I ask Greg is the Trim is ok. He looks at it and says yes. He moves the yoke through the full range of motion and I am clear of them. He enters 18 and lines up on runway center.

- a. He forcefully pushes the throttle all the way in. He maintains correct right rudder input as we do not drift/veer to the left. I'm holding onto my iPad with my hands and my feet are on the floorboard.
 - b. We accelerate uneventfully, maintaining centerline. I feel the nose wheel start to shimmy. Typically, I would expect to rotate shortly after as the shimmy, to me, is an indicator we are at/nearing rotate speed. I can't see the air speed indicator so I can not confirm air speed. However, after reviewing my Foreflight data, it shows we were somewhere between 80-90 knots ground speed.
 - c. The plane slowly starts to veer to the left, and then quickly turns to the left.
 - i. I do not remember abnormal sounds. The engine sounded constant and normal. There were no pops, cracks, or any other sounds that would indicate a mechanical issue or something breaking.
 - d. I yelled, "brake, brake, brake". The plane ran into the grass on the left side of 18 at roughly 45 degree angle. We bounced into the air.
 - i. I remember double checking my shoulder and lap restraints.
 - ii. Greg yelled the plane's not slowing down. I was going to pull the mixture out to stop the engine. I looked down but the first thing I saw was Greg's hand on the throttle. I grabbed it and pulled back, but it was already out all the way.
 - iii. I looked up, we were still in the air, and I could see Taxiway E coming. We were roughly 90 degrees to it. Past it was a field with tall grass growing. I could see the taxiway was elevated but I was thinking we might bounce off the top of the taxiway and make a hard landing in the field.
 - iv. Unfortunately, we were sinking too fast. As we rapidly approached, I could tell we were not going to clear the taxiway but were going to hit the bank of ditch leading up to the taxiway.
 - v. We impacted the side of the ditch
- 8) The plane came to a rest on top of Taxiway E. We were in a severe nose down angle. I knew I had blood running down my nose but I didn't feel any spikes of pain anywhere. I was worried about fire and told Greg and Kunal, "We need to get out of here quickly".
- i. I looked back at my door handle and asked Kunal to unlock it. He was able to comply. I opened the door but he did not exit. I got out of my seat and out of the plane. I assisted Kunal in exiting the plane. He said he was bleeding. He had blood coming out of his forehead. I quickly examined it, he had a cut but it did not look severe. I told him you have a small cut on your forehead, it doesn't look bad. I told him to go sit down away from the plane and pointed down towards the taxiway. He complied. Greg was able to get out of the plane on his own.
 - ii. I took quickly 2 pictures of the plane worried that a fire might start and destroy any evidence.
 - iii. I went over to Greg, who walking near the pilot side of the plane, and asked him if he had shut the fuel off and turned off the power. He was visibly shaken and was mentally out of it. I told him to go over and sit with Kunal. I didn't wait or confirm if he complied. I went to the pilot side door and looked in. I turned the fuel selector to off, turned off the mags and took the key, and turned off Alt and Bat rocker switches. I

looked over dash to make sure there was nothing else I missed. I saw fuel coming out of the vent on the pilot side wing. I looked around the plane did not see fuel leaking from anywhere else.

- 9) By this time the Fire Trucks had arrived and emergency personnel were on sight. I informed them the fuel was turned off and the battery relay was off. I pointed out the fuel leaking from the vent and they used putty to plug it.
 - a. I could hear the ELT going off and I tried to turn it off, but I didn't have any luck.
 - b. I saw the fire response crew looking over the engine cowling with intent. I went over and asked them what they're looking for. They were trying to find the battery. They had opened both doors for the oil fill cap and oil check locations. I told them the battery was located on the firewall on the pilot's side and pointed to the location. They were unable to see the battery. I again confirmed with them that I had the master battery power switch turned off.
- 10) I texted Brad Moore some pictures at 9:18pm CDT and said "We have a problem." and "Everyone is safe." I gave him a call just to inform him of the incident and give updates on Greg, Kunal, and myself.
- 11) I saw the EMT's were putting on a neck brace on Kunal and went over to talk to them to ascertain his condition. They said it didn't look serious and it was all precautionary. I wasn't able to talk directly to Kunal.
- 12) I looked for Greg and found him talking on the phone. He hung up and talked to me. He was still visibly shaken and in shock. I asked how he was feeling physically and he said he was OK. I didn't see any lumps, bumps, cuts, or scrapes on him to think otherwise.
- 13) I went back to the airplane and started to remove personal belongings – flight bag, credit cards, headsets, etc. and placed them away from the plane.
- 14) I saw they had placed Kunal on a stretcher and were moving him to an ambulance. I saw his phone on the ground and retrieved it. I took it to an EMT and told them this was his phone and I'm not sure if he's contacted anyone. I asked if I could take it to him to ask him. She took the phone to him but I followed closely. He was in the ambulance when she handed him his phone. He said he would call them himself. I asked what hospital they were taking him too. They said the name and that it's the only one in Owensboro.
- 15) By this time the Airport Manager, Tristan, was there. He has set up cones behind the plane to mark off the planes path.
 - a. Greg had come up to me and was upset that Tristan had asked him to sign a waiver and that he had declined to do it.
 - b. I affirmed Greg that he was not in the right state of mind to sign anything and that he made the right choice.
 - i. I talked to Tristan later about the waiver and he apologized that his timing was poor and that we could sign it later. I asked if I could see it. He was adamant that I didn't have to sign it now and it's ok to do it later. He showed it to me and I read over it. It was a standard waiver waiving Mid America and liability from future damages to the plane when they go to remove it. I felt it was ok to sign it so I did (I've emailed a signed copy to the flight club board).
- 16) The next hour or two (time durations are very difficult determine). I talked to the Airport Manager about the next steps and what they needed from us. He said they had contacted the FSDO and they will have an FAA Inspector out the next morning. He said we did not need to be there and it was our

choice. He said the plane will stay in its location until the FAA say's its ok to move it and they will move it to Mid America. At this point I felt there was not much need for us to be there anymore. Tristan offered to get us a ride somewhere. I told him we'd like to go the hospital to check up on Kunal. They arranged for the Fire Chief, Jeremy Smith, to take us over. They also contacted the hospital to let them know we were coming and said we would be able to go to his room, as long as Kunal consented.

- 17) When we arrived at the ER, they said Kunal was released and should be out any minute. There had been many phone calls to people back home trying to figure out rides or accommodations. Greg was able to get a ride for us back to Columbus and they were on their way. We were finally connected with Kunal. Kunal and I were inside the ER waiting room talking and Greg was outside. Kunal had a bandage on his head and on his right arm at the elbow. He said they had given him some pain meds and muscle relaxer but overall he felt good. He was coherent but still seemed a little dazed. Kunal told me that he was not buckled in. When he got in the back seat he looked for seat restraints but did not see them. He assumed the plane did not have them . Greg at this point, had started to get mentally clearer but was still mostly out of it and was sitting outside. Kunal said he had contacted his wife and she was on her way. We talked about riding with us and meeting with her to save her some time. After some talking we determined she only 30 minutes behind and he would just wait for her to arrive. Greg's ride arrived around 12:28 CDT (based on text messages) and I told Kunal to text me when he gets home or to call if he needs anything. Greg and I left with Greg's ride.
- 18) By the time Greg and I arrived at our hanger the left side of Greg's face had swollen considerably. He had taken some OTC pain medicine his friends had to help. During the ride home I talked to Greg about rotating as I tried to determine the root cause. I mentioned the nose shimmy and that's typically at rotate speed. I told him I didn't feel any rotation but I couldn't see the airspeed indicator. Greg told me the airspeed was "68" and we needed to go faster. I drove home and got home around 3:45am. I texted Kunal at 3:52am EST and told him I was home and hoping he was close. He texted back at 4:04am and said he was home.

Injuries Sustain:

- 1) Bridge of nose was cut and was bleeding enough to drip off the tip of my nose (minor cut)
- 2) Some minor skin abrasions on near my right elbow, on the forearm.
- 3) Light cuts/scratches on left knee area and left side of lower leg
- 4) Heel area of left foot was bruised and is still sore (today is 5/18). Only minimal bruising as seen on the lower left side of my foot near my heel. I was wearing a pair of lightweight running shoes.

