



MEMORANDUM FOR RECORD

Fabian Salazar
Air Safety Investigator
National Transportation Safety Board
Office of Aviation Safety – Western Pacific Region

NTSB Accident Number: WPR18FA279
Aircraft Registration & Make/Model: Cessna 177RG; N46321
Accident Location: La Vern, CA.
Accident Date: September 30, 2018

Note: The following interviews were documented by the Investigator-In-Charge (IIC), Fabian Salazar.

Interview #1 Summary

Kenny Garcia

Witness, Friend of Kate JohnPeer and John Leopard
Interview date and time: October 1, 2018; 1000 PDT

Mr. Garcia stated that around 1714 he got a phone call from Frank Owens asking him if he wanted to go flying. He stated he could not and that he was with Jeff and Kate in their hanger. Frank asked him to see if Kate wanted to go flying. Kate said “yeah I’ll go flying with him because he is always saying how good of a pilot he is” Mr. Garcia said She walked over to the fuel pit where Frank had just finished refueling his plane. Mr. Garcia said he then turned and talked to Kate’s husband Jeff who was working on his own airplane. Jeff said he needed to go test out his airplane. Jeff taxied down to the end of the runway and took off. He had no problems on his takeoff and pattern work. Mr. Garcia then saw Frank taxi and takeoff. He said he heard the airplane “backfire really loud like firecrackers” “bam, bam, bam, bam.” He then saw Frank pull up the gear and he said out loud “Frank what are you doing? Don’t pull up the gear” He told him to “put the gear down, pull the throttle back because he was still close to the runway, he could have landed. But he kept climbing and as he climbed he called the tower” (Mr. Garcia was monitoring the tower frequency 118.2), “Frank declared an emergency, said he had engine trouble” Mr. Garcia said that tower told Frank to “make a right turn and come back to runway 8, but he couldn’t do it” Mr. Garcia saw the airplane come up to tree top level and “went in in about a 45 degree angle. The way he crashed was nose first” He said he saw dust come up from the

crash site. He said he then let the fire fighters inside the gate and watched his friends try get them out of the plane.

October 1, 2019. In a follow up interview with Mr. Garcia, he stated that he was located on the flight line just south of the windsock, near the transient parking and the law enforcement building/hangar. He stated that he saw the accident airplane lift off abeam the windsock and the landing gear start to come up about the time the airplane was abeam taxiway D. He thought the airplane rose no more than 200 ft agl. Mr. Garcia stated that in a conversation with the ATP pilot, she mentioned to him that during the takeoff, the airplane was shaking to the point that she considered taking the controls, but the commercial pilot said, I got it”.

Mr. Garcia wanted the IIC to know that the commercial pilot had told him the fuel tank caps did not seal properly and that he needed to replace them. He also stated that one week prior to the accident, the commercial pilot washed the airplane in preparation for touchup painting the airplane.

Interview #2 Summary

Robert Redhead

Witness, Located on airfield

Interview date and time: October 1, 2018; 1030

During a face to face interview Mr. Redhead stated he was in his hanger when he heard the accident airplane engine surging. He said it sounded like the prop governor was surging. He heard this sound twice. He also heard a loud backfire but did not know if that sound was actually the airplane impacting the ground. He knew the two pilots and gave their names as Kate Leopard and Frank Owens. Kate’s last name was confirmed to be JohnPeer.

Interview #3 Summary

Ray Redhead

Witness, Located on airfield

Interview date and time: October 1, 2018; 1030

During a face to face interview, Mr. Redhead stated that he may have video footage of the accident and he would review the computer to see what was recoded. After checking his cameras, it was determined that there was no video footage of the accident flight.

Interview #4 Summary

Thomas Cuyhaniuk

Witness, Operations Coordinator

Interview date and time: October 1, 2018; 1030

Mr. Cuyhaniuk was working as an Operations Coordinator and trained crash and rescue personnel. He was alerted to the crash by the airport Klaxon alarm. He responded by staging a fire truck by the airplane in case of a fire. They did notice fuel leaking and attempted to spray foam on the airplane as a precautionary measure, but noticed it was getting all onto the male occupant of the airplane, so they stopped applying foam to the airplane. A tenant of the airport had already pulled the female occupant out of the airplane. She was conscious but in shock and as not talking. The male was in his seat and it was pressed against the door. They did not want to move him, because of possible spinal injuries. They turned off the master switch, Ignition switch and drained the right wing of fuel. The fire fighters arrived and disconnected the battery.

Interview #5 Summary

Ryan Van Dyck

Witness, Fire Pilot Services

Interview date and time: October 1, 2018; 1030

During a face to face interview, Mr. Van Duck said when he was on the accident scene he “turned the master switch off, the boost pump off, the key was in both and he turned to off” He said “the fuel selector switch was in the both position, at the 12:00 position” and he turned it to Off at the 6:00 position. He said the switch was easy to turn. He went to the battery where he noticed the battery was still connected to a battery charger and the charger was connected to a long extension cord. He also noticed the negative battery cable was broken away from the battery. He said someone had already removed the female occupant. He also said that the male occupant was strapped into his lap belt and shoulder straps. Mr. Van Dyck disconnected the lap belt and shoulder straps to get him out.

Interview #6

Patrick Bailey

Paralegal

Office of Kurtz Law

Interview Date: December 16, 2019

The IIC sent an email to the Office of Kurtz Law, requesting clarification on a witness statement, “She told me that during the takeoff, the airplane was shaking so bad I wanted to take the controls, but Frank said the he had it”. The IIC received a telephone call from Mr. Bailey. Mr. Bailey informed the IIC that the ATP pilot agreed with the witness statement as it was written.

STATEMENT OF KATE JOHNPEER

I, Kate Johnpeer, make the following statement regarding the events of September 30, 2018:

The flight with Frank Owens arose as I wanted to do some landings to obtain my landing currency. A Certificated Flight Instructor, Mr. Owens decided it would be a good day to fly so we decided to go flying around the pattern at Brackett.

The flight on September 30, 2018 was to be my first flight with Mr. Owens and my first flight in a Cessna 177 RG.

I remember very little about the flight. I do remember discussing the seating positions with Mr. Owens. It was Mr. Owens' request to sit in the right seat because he felt more comfortable in the right seat. After starting the aircraft engine, I remember getting ATIS and weather on his Garmin 750, which is a system I had been using in a simulator at work. We taxied toward the departure end of 26L at Brackett. I remember seeing my husband taxiing and taking off in our Piper Cherokee and wishing I could be with him. This is my last memory until I was well into my hospitalization. I do not recall who was flying the airplane at the time of the crash.

I was hospitalized for over three weeks. My injuries include a traumatic brain injury, subdural hematoma, cerebral hemorrhage, bilateral pulmonary contusion, right pneumothorax, skull fracture, facial lacerations, fracture of the left external auditory canal wall, lip laceration, loss of front tooth and its root, and right talar and fibular fractures.

DATED:

4/5/2019


KATE JOHNPEER

STATEMENT OF JEFF LEOPARD

I, Jeff Leopard, make the following statement regarding the events of September 30, 2018:

I will start my account of events on the afternoon of September 30, 2018 approximately thirty minutes before the accident involving N46321. I had just completed the initial flight of my aircraft (N7846W) – post engine overhaul. Upon completion of my flight, I taxied up to my hanger to remove the cowling for inspection and to adjust the oil pressure. At that time my wife, Kate Johnpeer, had informed me that she was going flying with Mr. Owens who was now parked in sight at the fuel pit. Moments later she walked over to join him.

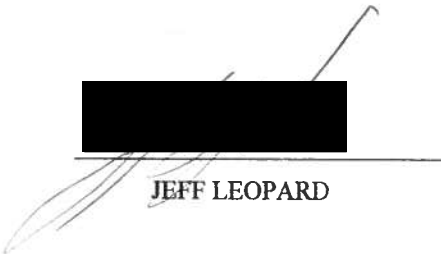
Approximately fifteen minutes later, I repositioned my aircraft just abeam of the wind sock to perform a high power ground run to verify my adjustments. Upon completion of my run, I witnessed N46321 taxiing by on the south taxi way and I acknowledged them with a quick wave.

After they had passed, a gentleman by the name of Kenny Garcia, a local aircraft detailer, had helped me reinstall the upper cowling on my aircraft after making adjustments. After the cowling was reinstalled, I performed an aircraft walk around and then proceeded to climb in the aircraft to prepare for taxi. I recall performing my pre-takeoff checks before taxiing, then proceeded to runway 26L where I saw N46321 in the south run-up area.

At the time of the accident of N46321, I was in flight. I did hear the voice of Frank Owens on the Brackett Tower frequency reporting an engine problem and his intent to return to the airport.

When I heard Mr. Owens' voice I was southeast of the airport, and requested a return to the airport for landing. I proceeded to land on 26L. While completing that flight, I heard the tower coordinating with emergency operations. I then taxied to my hangar, parked in front of my hangar and got in my car to drive to the northeast portion of the airport boundary because I saw the fire trucks and ambulances heading in that direction. When I arrived, the fire personnel were attending to my wife who had been removed from the aircraft at that time. We were on scene about 5-10 minutes before I left the airport with my wife in the ambulance on the way to the hospital.

DATED: 03/April / 2019


JEFF LEOPARD