

Andrew,

As per your request I will try to give you a full accounting of the events leading up to the accident on 14 Nov 2021.

To begin with the purchase and subsequent use of the aircraft, the purchase was made in February 2021 from CFI Academy in Lodi California. The purpose was to use the aircraft to train for my CFI additional rating for single engine. During the first month I renewed by BFR and Instrument refresher. I then attended a 3-week class for CFI single engine. I was also required to take a commercial check ride as well. The commercial was on the 15th of April 2021 and the CFI was on the 17th. Both were with Dr James Duval [REDACTED]. On 21 April 2021, 2 days later the aircraft was flown to SMX to ArtCraft Paint for deliver for interior and exterior refurb. Throughout training and check rides, I nor any of my instructors or evaluators expressed any concern for the gear operation.

During my arrival to SMX the nose gear green light did not illuminate. A flyby showed gear was down. Upon landing the light illuminated. I called the mechanic back in Lodi. He explained he had used some engine cleaner, and some was probably not cleaned off the strut causing the errant switch issue. I cleaned it off and the indications were normal. This is the only gear issue I had, nothing to do with the main gear and only indicator not operation.

So fast forward 6 months. Very little conversation after the initial walk around and processing of the aircraft. The intake inspection is included in this package. So having realized that my first purchase of an airplane was too aggressive for initial students. So I purchased a 1978 Tomahawk in June. The reason I bring this up is, it demotivated me to bug them to get the Arrow finished. So patiently waited to send one line text messages monthly. Keep in mind the original expected completion was around 2 months. Finally in Oct. I had enough, because I was having serious back surgery on the 15th of November 2021 and was going to be unable to fly for several months. I advised ArtCraft paint that it was going to pick up aircraft either before that date or several months later. They then said it would be available by 12 November 2021. I was advised at that time interior was complete and they would start painting in a week. Keep in mind this is now late October. They had the plane for almost 6 months at this point. I only bring this up as conjecture in did this cause them to rush.

So, several items over the last week prior to pick up came up. The strobes were bad and needed replacement. I requested an oil change. A new temp probe had to be ordered and installed because they broke the one from the windshield which was replaced as part of the work order. These last-minute issues should have been done months earlier. Again, conjecture that the work was very haphazard and disorganized.

We arrived on the 12th and meet on the morning of the 13th of November to finish paperwork, preflight and depart to Salt Lake City. This did not occur. Numerous issues occurred that did not resolve themselves until the end of the day. The first was the new plastic instrument panel I purchased and left for install. There were several required cutouts to be made and none were done. Including the mic jacks on the copilot side. My memory was a bit hazy, and it took us a couple hours to locate the covered over jack inputs and correct the issue. I also had the area around the gear lights cut back because they were not set in the sockets correctly. The lights were dim, and the right main was flickering. Kevin the mechanic explained the dimness to the condition of the battery. Seven months no one bothered to keep the battery trickle charged. We discussed this and I was assured that the no work had been done on the gear and that he personally" had been under the wing and been around that gear numerous times". The aircraft would not start. We assumed fuel pump or possibly associated with the battery though it was turning the prop quickly. He took the cowlings off and we blew out several lines. I don't know sat in a dusty paint shop for 7 months did anyone think to try starting this plane before I showed up? Finally, with all back together we were able to start the airplane. However, we shut it down after 5 mins and were going to fly a couple patterns. When we went to restart the battery was too low. We gave up for the day and put the plane on a charger overnight.

The next morning, I preflighted the aircraft and we left the charger attached and started the aircraft with no issue. The battery is located in the rear, so it did not present a safety concern. I did notice the gear lights were still a bit dimmer than I recalled and asked Kevin and he assured me it was ok. I taxied out and they did seem brighter. Again, my concern was the indicator because of my previous experience in April. My concern was never for the operation of the gear. I flew 2 patterns leaving the gear down on the first. I did retract and extend the gear on the second pattern on downwind. I then taxied back, and we departed on an IFR flight plan.

I must confess that I was flying and talking and got a bit distracted such that I saw my daughter, who is a private pilot student turn off the landing light and fuel pump. Thus, after takeoff complete. Unfortunately, I did not put the gear up until sometime later when I finally realized I was not getting the cruise speed I was expecting. We have been flying the Tomahawk and fixed gear for 5 months.

Upon arrival to BVU Boulder City Muni NV we prepared for landing and upon gear extension we had a gear intransit light stay illuminated with only 2 green lights nose and left. I confirmed my condition with an aircraft on the taxiway who visually confirmed the right gear was not down. Several maneuvers were attempted, and checklists were referenced. When we realized we were unable to extend the gear a gear up or 2 gear down landing was discussed. I concluded I was able to land safely with left and nose gear down. We coordinated the shutdown in the flair I got the mixture my daughter in the left seat turned off the ignition. Upon touchdown I grabbed the parking brake knowing it would only be applied to the left gear. This and left rudder and nose gear steering helped keep the aircraft straight until the right wing contacted the runway. Unfortunately, it was too much drag and we turned 90 right. Fortunately, we were at a relatively slow speed, and we exited the runway into a shallow ditch. The left gear took most of the damage from this.

We did save the prop and engine but the extent of damage to the hull and wings made it a total loss. Again, fortunately no injuries. My regret after the accident was during photos I went under the right wing. The aircraft was balanced on the nose and tail, so the left gear was no longer contacting the ground. While under the right gear I noticed it was hanging about an inch or so out of up position. I unfortunately was a bit distracted and did not take a photo but reached up and tried to pull the gear down. To which I heard a breaking sound and the gear free fell. This did aid in the towing the aircraft out of the ditch and back to the ramp area.

If you have any other questions or need clarification on anything, please feel free to ask.

Sincerely,
Stan Gibson