



AVIATION



HIGHWAY



MARINE



RAILROAD



PIPELINE

# Aviation Investigation Final Report

<b>Location:</b>	Houston, Texas	<b>Accident Number:</b>	CEN23LA379
<b>Date &amp; Time:</b>	August 16, 2023, 10:34 Local	<b>Registration:</b>	N5874J
<b>Aircraft:</b>	Beech S35	<b>Aircraft Damage:</b>	Substantial
<b>Defining Event:</b>	Birdstrike	<b>Injuries:</b>	2 None
<b>Flight Conducted Under:</b>	Part 91: General aviation - Instructional		

## Analysis

The flight instructor and the pilot receiving instruction reported that the airplane struck a bird during initial climb after takeoff. They were able to continue and land uneventfully. The airplane sustained substantial damage to the right wing.

## Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

An in-flight collision with a bird.

## Findings

<b>Environmental issues</b>	Animal(s)/bird(s) - Effect on equipment
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## Factual Information

### History of Flight

Enroute	Birdstrike (Defining event)
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### Pilot Information

Certificate:	Commercial	Age:	29,Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Right
Other Aircraft Rating(s):	None	Restraint Used:	3-point
Instrument Rating(s):	Airplane	Second Pilot Present:	Yes
Instructor Rating(s):	Airplane single-engine	Toxicology Performed:	
Medical Certification:	Class 1 With waivers/limitations	Last FAA Medical Exam:	December 1, 2019
Occupational Pilot:	Yes	Last Flight Review or Equivalent:	
Flight Time:	750 hours (Total, all aircraft)		

### Pilot Information

Certificate:	Private	Age:	18,Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	3-point
Instrument Rating(s):	None	Second Pilot Present:	Yes
Instructor Rating(s):	None	Toxicology Performed:	
Medical Certification:	Class 1 Without waivers/limitations	Last FAA Medical Exam:	August 2, 2023
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:	72 hours (Total, all aircraft), 2 hours (Total, this make and model)		

## Aircraft and Owner/Operator Information

<b>Aircraft Make:</b>	Beech	<b>Registration:</b>	N5874J
<b>Model/Series:</b>	S35	<b>Aircraft Category:</b>	Airplane
<b>Year of Manufacture:</b>	1965	<b>Amateur Built:</b>	
<b>Airworthiness Certificate:</b>	Normal	<b>Serial Number:</b>	D-7866
<b>Landing Gear Type:</b>	Retractable - Tricycle	<b>Seats:</b>	6
<b>Date/Type of Last Inspection:</b>	July 3, 2023 Annual	<b>Certified Max Gross Wt.:</b>	3300 lbs
<b>Time Since Last Inspection:</b>		<b>Engines:</b>	1
<b>Airframe Total Time:</b>	6553 Hrs as of last inspection	<b>Engine Manufacturer:</b>	
<b>ELT:</b>	C91 installed, not activated	<b>Engine Model/Series:</b>	
<b>Registered Owner:</b>	MY FLIGHT LLC	<b>Rated Power:</b>	
<b>Operator:</b>	MY FLIGHT LLC	<b>Operating Certificate(s) Held:</b>	None

## Meteorological Information and Flight Plan

<b>Conditions at Accident Site:</b>	Visual (VMC)	<b>Condition of Light:</b>	Day
<b>Observation Facility, Elevation:</b>	KDWH, 154 ft msl	<b>Distance from Accident Site:</b>	0 Nautical Miles
<b>Observation Time:</b>	10:53 Local	<b>Direction from Accident Site:</b>	336°
<b>Lowest Cloud Condition:</b>	Clear	<b>Visibility</b>	10 miles
<b>Lowest Ceiling:</b>	None	<b>Visibility (RVR):</b>	
<b>Wind Speed/Gusts:</b>	/	<b>Turbulence Type Forecast/Actual:</b>	/
<b>Wind Direction:</b>		<b>Turbulence Severity Forecast/Actual:</b>	/
<b>Altimeter Setting:</b>	30.03 inches Hg	<b>Temperature/Dew Point:</b>	33°C / 16°C
<b>Precipitation and Obscuration:</b>	No Obscuration; No Precipitation		
<b>Departure Point:</b>	Houston, TX	<b>Type of Flight Plan Filed:</b>	None
<b>Destination:</b>	Houston, TX	<b>Type of Clearance:</b>	VFR
<b>Departure Time:</b>		<b>Type of Airspace:</b>	Class D

## Airport Information

<b>Airport:</b>	DAVID WAYNE HOOKS MEML DWH	<b>Runway Surface Type:</b>	
<b>Airport Elevation:</b>	152 ft msl	<b>Runway Surface Condition:</b>	
<b>Runway Used:</b>		<b>IFR Approach:</b>	None
<b>Runway Length/Width:</b>		<b>VFR Approach/Landing:</b>	Traffic pattern;None

## Wreckage and Impact Information

<b>Crew Injuries:</b>	2 None	<b>Aircraft Damage:</b>	Substantial
<b>Passenger Injuries:</b>	N/A	<b>Aircraft Fire:</b>	None
<b>Ground Injuries:</b>	N/A	<b>Aircraft Explosion:</b>	None
<b>Total Injuries:</b>	2 None	<b>Latitude, Longitude:</b>	30.061779,-95.552788

## Administrative Information

Investigator In Charge (IIC):	Brannen, John
Additional Participating Persons:	Dan Prince ; FAA; Houston, TX
Original Publish Date:	November 9, 2023
Last Revision Date:	
Investigation Class:	<a href="#">Class 4</a>
Note:	The NTSB did not travel to the scene of this accident.
Investigation Docket:	<a href="https://data.nts.gov/Docket?ProjectID=192928">https://data.nts.gov/Docket?ProjectID=192928</a>

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties ... and are not conducted for the purpose of determining the rights or liabilities of any person” (Title 49 *Code of Federal Regulations* section 831.4). Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report (Title 49 *United States Code* section 1154(b)). A factual report that may be admissible under 49 *United States Code* section 1154(b) is available [here](#).