

## FAA Response Indicates That Fuddy Crash and Death Were Faked

The FAA told me that records for the crash resulting in Loretta Fuddy's allegedly death were destroyed within a month rather than retained for 5 years in an "accident package" (a collection of all records relating to accidents requiring an investigation) because it was a no-services accident.:

The search revealed no ATO records responsive to items 3, 4, 7, 9, 10, 12, and 13 of your request. There are no ATO provisions for recording the frequencies listed in items 12 and 13. In addition, this accident was classified as a "no services" accident, meaning no FAA facility had contact with the aircraft. No transcripts were created and any radar data responsive to item 9 or additional audio re-recordings that may have existed have been destroyed in accordance with FAA Order 7210.3Y, Facility Operation and Administration. The FAA retention and destruction regulations are outlined in FAA Order 7210.3Y, Facility Operation and Administration, and FAA Order 8020.16A, Air Traffic Organization Accident and Incident Notification, Investigation, and Reporting.

On page 17 of [FAA Order 8020.16A](#) it says that formal accident packages are to be initiated for all investigations where air traffic facilities may be involved, but the collection of an accident package should only be continued if the accident fits the requirements in letter (a). Only if letter (a) doesn't apply does letter (b) apply, where the level of services provided determines whether an accident package must be assembled - with no package required if it was a "no-services". Here is the relevant portion (emphasis mine):

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### *71. Formal Accident File/Package Data Collection*

*Initiate a formal accident file/package for all investigations, including military investigations, when air traffic facilities may be or are involved in the accident. The determination may be made to downgrade the file after consultation with the service center, or FSPO and the Litigation Liaison Office.*

*a. Continue the formal accident files/packages for the following (all of which include military aircraft):*

- (1) Air carrier, air taxi, and commuter accidents.*
- (2) Accidents involving aircraft operating under IFR or SVFR which resulted in fatalities or serious injuries. 12/27/10 JO 8020.16A*
- (3) For any suspected aircraft accidents when wreckage and/or other debris is not immediately located but when there is reason to believe that an accident may have occurred and the accident meets any of the requirements in accordance with paragraph 71a(1)-(3).*
- (4) When requested by the FAA IIC, the Litigation Liaison Office, service center, or FSPO.*

*b. For all **other accidents, the determination of whether a formal accident file/package is necessary or required must be based on the "level of air traffic service" (if any) which was being provided to the aircraft**, including weather-related accidents when a weather briefing was provided within 24 hours of the accident. The level of air traffic service is used to denote the amount and complexity of service being provided. The determination of the*

"amount of complexity" of air traffic service must be based on the best assessment of the service center, or FSPO in consultation with the facility or after coordination with the Litigation Liaison Office. Although not all-inclusive, an example of minimum service may be a VFR arrival or departure to or from an airport in Class D airspace. A higher level of service may be separation, sequencing, and/or vectoring to a VFR aircraft within Class B airspace.

(1) If a determination has been made that no formal accident file/package will be prepared, the service center or FSPO may request the facility(ies) that provided air traffic service(s) or pertinent information prepare an informal accident file in accordance with paragraph 84, unless a determination of a nonoccurrence has been made (see paragraph 71g(2)).

(2) In the case where **no air traffic service was being provided to the aircraft** but air traffic subsequently became aware of the accident (via notification by police or similar organizations), no formal or informal file/package is required, and all forms and documentation associated with the notification process must be retained.

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By claiming this as a "no-services" accident, the FAA is clearly claiming that none of the conditions of (a) are met. One of those conditions which - according to the official story - SHOULD be met is this:

(1) Air carrier, air taxi, and commuter accidents.

**Makani Kai is an air carrier. For this condition to not be met, there had to not be an "accident".**

## **So how does the FAA define an "accident"?**

Appendix F of the above document defines it thusly:

4. Aircraft Accident - an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight and until such time as all such persons have disembarked, and in which any person suffers death or serious injury, or in which the aircraft receives substantial damage. All aspects of the exceptions to substantial damage (see "Substantial Damage") are to be considered before making a final substantial damage determination that would classify the occurrence as an accident.

It also includes the following definitions:

16. Fatal Injury - any injury which results in death within 30 days of the accident.

32. Serious Injury - any injury which: (1) requires hospitalization for more than 48 hours, commencing within 7 days from the date an injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) causes severe hemorrhages, or nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second - or third-degree burns, or any burns affecting more than 5 percent of the body surface.

So an aircraft accident is something that happens (between the time anybody boards the plane for flight and the time when everybody on the plane is out of it) which results in a death within 30 days or serious injury (including damage to internal organs), or in which the aircraft receives substantial damages.

Landing in the water would be an accident, then, if anybody died within 30 days as a result of that water landing.

**The only way the FAA can claim this was not an accident is if nobody died within 30 days as a result of it. In other words, the FAA's classification of this as a "no-services" accident is an admission that nobody on that flight died within 30 days of the water landing.**

But to classify this as a "no-services accident", the aircraft also had to NOT receive "substantial damages" during the event.

**So what does the FAA consider to be "substantial damages"?**

*33. Substantial Damage - damage or failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component. Engine failure or damage limited to an engine if only one engine fails or is damaged, bent fairings or cowling, dented skin, small punctured holes in the skin or fabric, ground damage to rotor or propeller blades, and damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wing tips are not considered substantial damage for the purpose of this order.*

Catastrophic engine failure of the only engine on a plane would "adversely affect the strength, performance, or flight characteristics of the aircraft" and "would normally require major repair or replacement of the affected component."

**The only way the FAA can claim this was not an accident is if there was NO CATASTROPHIC ENGINE FAILURE. In other words, the FAA's classification of this as a "no-services" accident is an admission that this was a deliberate water landing, not a water landing forced by catastrophic engine failure.**

**So the FAA's "no-services" classification confirms that this was a PRETEND engine failure and Fuddy didn't die - AND that they knew all this and still created documents claiming that it was a true engine failure in an accident with a fatality.**