

# BRAZIL SENTENCE FINAL FOR LEGACY MIDAIR PILOTS

News / Business aviation



**Brazil's** Supreme Court recently upheld the conviction of U.S. pilots Joe Lepore and Jan Paul Paladino in the September 2006 midair over the Amazon that brought down a Gol Linhas Aéreas 737 with 154 people aboard. Under a legal cooperation treaty, the sentence of three years, one month and 10 days would be served in the U.S.

Brazilian **sentences** of less than four years are served in an “open regime,” similar to a halfway house or, if unavailable, a less restrictive alternative such as probation. Equally, speculation in the press about extradition to Brazil is unfounded, as there is ample precedent to ensure that the sentence would be served in the U.S.

The federal trial court in Sinop, Mato Grosso, had imposed an alternative penalty of suspension of the pilots' airman certificates, highlighted in Brazilian press coverage of the recent final ruling. However, legal sources close to the case told **AIN** that since appeals courts had rejected alternative penalties, license suspension is not part of the sentence. In addition, the FAA declined to enforce a similar administrative decision by its Brazilian equivalent, ANAC.

Two air traffic controllers who failed to avert the collision received lighter sentences in Brazil's federal and military courts. Despite a request from the Sinop judge for indictment of the controller who issued the clearance that put the Legacy on a collision course, prosecutors failed to move against him.

**SOURCE: AIN**

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