B. & W. CANDY & TOBACCO

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Default vacated

7/9/76

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STATE OF NEW YORK STATE TAX COMMISSION

AFFIDAVIT OF MAILING

State of New York County of

Carmen M. Mottolese , being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 25th day of June , ¹⁹76, she served the within Default Order by (xextified) mail upon B & W Candy & Tobacco (xextextive of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: B & W Candy & Tobacco

:

1235 St. Nicholas Avenue New York, New York

and by depositing same enclosed in a postpaid properly addressed wrapper in a (post office or official depository) under the exclusive care and custody of the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the <u>(representative</u> **REXINEX** petitioner herein and that the address set forth on said wrapper is the last known address of the <u>(representative petitioner</u>.

Sworn to before me this

25th day of June

, 1976. Carmen M. Mottolese

and mack

TA-3 (2/76)

STATE OF NEW YORK STATE TAX COMMISSION

> In the Matter of the Petition of B & W CANDY & TOBACCO

AFFIDAVIT OF MAILING

State of New York County of

Carmen M. Mottolese , being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 25th day of June , 1976, she served the within Default Order by **XXXXXXX** mail upon Port & Port, Esqs. (representative of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Port & Port, Esqs. 123 Hicks Street

Brooklyn, New York 11201

and by depositing same enclosed in a postpaid properly addressed wrapper in a (post office or official depository) under the exclusive care and custody of the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (representative of the) petitioner herein and that the address set forth on said wrapper is the last known address of the (representative of the) petitioner.

Sworn to before me this

25th day of June

, 1976. Carmen M Mottolese

t mark

TA-3 (2/76)



STATE OF NEW YORK DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

TAX APPEALS BUREAU STATE CAMPUS ALBANY, N.Y. 12227

ADDRESS YOUR REPLY TO

June 25, 1976

TELEPHONE: (518)457-3850

□ B & W Candy & Tobacco 1235 St. Nicholas Avenue New York, New York

Gentlemen:

Please take notice of the DEFAULT ORDER of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to Section(3) 478 of the Tax Law, any proceeding in court to review an adverse decision must be commenced within 4 months from the date of this notice.

Inquiries concerning the computation of tax due or refund allowed in accordance with this decision or concerning any other matter relative hereto may be addressed to the undersigned. They will be referred to the proper party for reply.

Supervising Tax Hearing Officer

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

TA-1.12 (1/76)

STATE OF NEW YORK STATE TAX COMMISSION

TA-18.2 (3/76)

Petitioner(X) B & W Candy & Tobacco, 1235 St. Nicholas Avenue, a hearing New York, New York filed a petition for xxxisixxxxx for xxfor xxfor xxxis for xxxis

KAXXXXX under Article(X) 20 of the Tax Law XXXXXX

. File No.(g) 11888

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A formal hearing on the petition was scheduled before Edward L. Johnson, Hearing Officer , at the offices of the State Tax Commission, Two World Trade Center, 65th Floor, Room 65-31, New York, N.Y. on Wednesday, May 19, 1976 at 9:15 A.M. Notice of said formal hearing was given to petitioner(s) and petitioner(s) representative, Port & Port, Esqs. Petitioner(s) or petitioner(s) representative did not appear at the formal hearing . A default has been duly noted.

Now on motion of the attorney for the Department of Taxation and Finance,

it is

ORDERED that the petition of B & W Candy & Tobacco be and the same is hereby denied.

DATED: Albany, New York June 25, 1976

STATE TAX COMMISSION	1
Anes T. mile	
PRESIDENT Whiten Koum	1
COMMISSIONER	
COMMISSIONER	

DEFAULT ORDER

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