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AFFIDAVIT OF MAILING

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TA-3 (2/76)

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

CHARLES DE LELLO

AFFIDAVIT OF MAILING

For a ~~Hearing~~ ~~on a Petition for a Deficiency or~~ ~~Refund of~~ ~~Taxes~~ ~~under Article(s) 20 of the~~ ~~Tax Law for the Year(s) or Period(s) 1975.~~

State of New York
County of Albany

Bruce Batchelor

, 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 28th day of March , 1977, she served the within

Notice of Default Order by (certified) mail upon Henry M. Gargano, Esq.

(representative of) the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

as follows: Henry M. Gargano, Esq.
123 Seventh Avenue
Brooklyn, NY 11215

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

28th day of March , 1977.

Bruce Batchelor

Janet Back



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

March 28, 1977

TELEPHONE: (518) **457-1723**

Mr. Charles DeLello
882 Union Street
Brooklyn, NY

Dear Mr. DeLello:

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

Please take further notice that pursuant to
Section **(x) 478** of the Tax Law, any
proceeding in court to review an adverse deci-
sion 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.

Very truly yours,

Paul B. Ceburn
Supervising Tax
Hearing Officer

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

CHARLES DE LELLO

DEFAULT ORDER

~~For Revision or for Refund of~~

~~Taxes~~

For a Hearing

under Article(x) 20 of the Tax Law for the
Year(x) 1975.

Petitioner(x), Charles DeLello, 882 Union Street, Brooklyn,
New York filed a petition for ~~revision or for refund of~~
a hearing ~~taxes~~ under Article(x) 20 of the Tax Law for the
year(x) 1975 . File No.(x) 13508

A formal hearing on the petition was scheduled before
Julius E. Braun, Hearing Officer , at the offices of the State
Tax Commission, Two World Trade Center, 65th Floor, New York, New York
on Monday, February 14, 1977 at 1:15 P.M. . Notice of said formal
hearing was given to petitioner(x) and petitioner(s) representative,
Henry M. Gargano, Esq. . Petitioner(x) 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 CHARLES DE LELLO
be and the same is hereby denied.

DATED: Albany, New York
March 28, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER