John J. Sollecito, Director (518) 457-1723

January 11, 1984

G.M.S. Distributors Corp. 80 Smith Street Farmingdale, NY 11735

Gentlemen:

Please take notice of the Default Order of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to Section(s) 478 of the Tax Law, any proceeding in court to review this 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 may be addressed to the Deputy Commissioner and Counsel to the New York State Department of Taxation and Finance, Building 9, State Campus, Albany, New York 12227. Said inquiries will be referred to the proper authority for reply.

Very truly yours,

cc: Petitioner's Representative
Albert H. Blumenthal
Phillips, Nizer, Benjamin, Krim & Ballon
40 West 57th Street
New York, NY 10019
Taxing Bureau's Representative

In the Matter of the Petition

of

G.M.S. Distributors Corp.

DEFAULT ORDER

83-F-37

:

for Redetermination of a Deficiency or Revision

of a Determination or Refund of

Cigarette Tax under Article 20

of the Tax Law for the Period 11/1/80 - 11/29/82. :

Petitioner(s) G.M.S. Distributors Corp. filed a petition for redetermination of a deficiency or revision of a determination or refund of Cigarette Tax under Article 20 of the Tax Law for the Period 11/1/80 - 11/29/82. File No. 42797.

A formal hearing on the petition was scheduled before Daniel Ranalli, at the offices of the State Tax Commission, Two World Trade Center, Room 65-51, New York, New York 10047 on Tuesday, October 18, 1983 at 9:15 a.m. Notice of said formal hearing was given to petitioner(s) and the representative of petitioner(s). Petitioner(s) 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 G.M.S. Distributors Corp. be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
JANUARY 11, 1984