

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

EMANUEL F. AND JOAN DEVITO

For a Redetermination of a Deficiency or
a Refund of Personal Income
Taxes under Article(s) 22 of the
Tax Law for the (Year(s)) 1962 and 1963;

State of New York
County of Albany

Rae Zimmerman , 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 23rd day of July , 1971 , she served the within
Notice of Decision (or Determination) by (certified) mail upon Emanuel F. and
Joan Devito (representative of) the petitioner in the within
proceeding, by enclosing a true copy thereof in a securely sealed postpaid

wrapper addressed as follows: Emanuel F. and Joan Devito
4 Hubbell Street
Commack, New York 11725

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 Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative
of) 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

23rd day of July , 1971

Linda Wilson

*Devito, Emanuel F.
& Joan
Personal Income
22 1962-63*

AFFIDAVIT OF MAILING
OF NOTICE OF DECISION
BY (CERTIFIED) MAIL

1971

Rae Zimmerman

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
EMANUEL F. DEVITO AND JOAN DEVITO : DEFAULT ORDER
for Redetermination of Deficiency or for :
Refund of Personal Income :
Taxes under :
Article(s) 22 of the Tax Law :
for the Year(s) 1962 & 1963 :

Petitioner(s) Emanuel F. DeVito and Joan DeVito
filed a petition for redetermination of deficiency or for refund
of Personal Income taxes under Article(s) 22
of the Tax Law for the year(s) 1962 & 1963
. File No.(s) 3-4431478

A calendar call on the petition was scheduled before
Honorable Milton Koerner, State Tax Commissioner, at the offices
of the State Tax Commission, 80 Centre Street, New York, New York,
on April 26, 1971 at 11:00 A.M. Notice of said calendar call
was given to petitioner(s) and ~~petitioner(s) representative~~ Emanuel F.
DeVito and Joan DeVito . Petitioner(s) ~~or petitioner(s)~~
~~representative~~ did not appear at the calendar call. 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 Emanuel F. DeVito and Joan
DeVito be and the same is hereby denied.

DATED: Albany, New York

July 23, 1971.

STATE TAX COMMISSION

Norman Isakson
COMMISSIONER

Bruce Massey
COMMISSIONER

Milton Koerner
COMMISSIONER