

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

NATHAN MALKIN

For a Redetermination of a Deficiency or
a Refund of Personal Income (withholding)
Taxes under Article(s) 22 of the
Tax Law for the (Year(s) 1967 and 1968:

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

State of New York
County of Albany

MARTHA FUNARO, 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 27th day of March, 1973, she served the within
Notice of Decision (or Determination) by (certified) mail upon NATHAN MALKIN

(representative of) the petitioner in the within
proceeding, by enclosing a true copy thereof in a securely sealed postpaid

wrapper addressed as follows:

Nathan Malkin
68 Harris Drive
Oceanside, 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 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

27th day of March, 1973

Lynn Wilson

Martha Funaro



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

BUILDING 9, ROOM 214A
STATE CAMPUS
ALBANY, N. Y. 12227

AREA CODE 518
457-2655, 6, 7

STATE TAX COMMISSION

NORMAN F. GALLMAN, PRESIDENT
A. BRUCE MANLEY
MILTON KOERNER

STATE TAX COMMISSION
HEARING UNIT

EDWARD ROOK
SECRETARY TO
COMMISSION

ADDRESS YOUR REPLY TO

DATED: Albany, New York
March 27, 1973

Nathan Malkin
68 Harris Drive
Oceanside, New York

Dear Mr. Malkin:

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

Please take further notice that pursuant to **section 690** of
the Tax Law any proceeding in court to review an adverse decision
must be commenced within **4 months** after
the date of this notice.

Any inquiries concerning the computation of tax due or refund allowed
in accordance with this decision or concerning any other matter relat-
ing hereto may be addressed to the undersigned. These will be referred
to the proper party for reply.

Very truly yours,


Paul B. Coburn
HEARING OFFICER

cc Petitioner's Representative
Law Bureau

STATE OF NEW YORK

STATE TAX COMMISSION

In the Matter of the Petitions :
of :
NATHAN MALKIN and :
DONALD SMITH : DEFAULT ORDER
for Redetermination of Deficiency or :
for Refund of Personal Income Taxes :
under Article 22 of the Tax Law for :
the Years 1967 and 1968. :

Petitioners, Nathan Malkin and Donald Smith, filed petitions for redetermination of deficiency or for refund of personal income taxes under Article 22 of the Tax Law for the years 1967 and 1968. (File No. 13-2579858).

A formal hearing on the petitions was scheduled before Paul B. Coburn, Hearing Officer, at the offices of the State Tax Commission, 80 Centre Street, New York, New York, on February 26, 1973, at 1:30 P.M. Notice of said formal hearing was given to petitioners. Petitioners 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

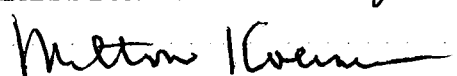
ORDERED that the petitions of Nathan Malkin and Donald Smith be and the same is hereby denied.

DATED: Albany, New York
March 27, 1973

STATE TAX COMMISSION

COMMISSIONER


COMMISSIONER


COMMISSIONER