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STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

EMIL J. BAGINSKI

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

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) 1970

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 10th day of May , 1974 , she served the within Notice of Decision (or Determination) by (certified) mail upon Emil J. Baginski (representative of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Mr. Emil J. Baginski
53-19 92nd Street
Elmhurst, 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

10th day of May , 1974

Joyce A. Van Patten

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
HEARING UNIT

EDWARD ROOK
SECRETARY TO
COMMISSION

STATE TAX COMMISSION
Mario A. Procaccino
~~MEMBER~~ PRESIDENT
A. BRUCE MANLEY
MILTON KOERNER

ADDRESS YOUR REPLY TO

DATED: Albany, New York
May 10, 1974

Mr. Emil J. Baginski
53-19 92nd Street
Elmhurst, New York

Dear Mr. Baginski:

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 Petition :
of :
EMIL J. BAGINSKI :
for Redetermination of Deficiency or : DEFAULT ORDER
for Refund of Personal Income Taxes :
under Article 22 of the Tax Law for :
the Year 1970. :

Petitioner, Emil J. Baginski, filed a petition for redetermination of deficiency or for refund of personal income taxes under Article 22 of the Tax Law for the year 1970. (File No. 0-64659989.)

A calendar call on the petition was scheduled at the offices of the State Tax Commission, 97-77 Queens Boulevard, Rego Park, New York, on April 18, 1974, at 10:00 A.M. Notice of said calendar call was given to petitioner. Petitioner did not appear at the calendar call. A default has been duly noted.

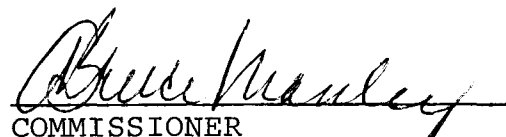
Now on motion of the attorney for the Department of Taxation and Finance, it is

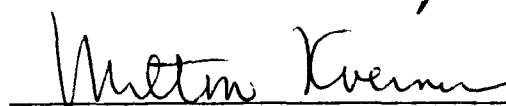
ORDERED that the petition of Emil J. Baginski be and the same is hereby denied.

DATED: Albany, New York
May 10, 1974

STATE TAX COMMISSION


COMMISSIONER


COMMISSIONER


COMMISSIONER