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STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

FRED W. THURSTON and KATHRYN THURSTON

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

Janet Mack, 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 September, 1974, she served the within Notice of Decision (or Determination) by (certified) mail upon Fred W. Thurston and Kathryn Thurston (~~representative of~~) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Mr. & Mrs. Fred W. Thurston
33 Bogart Avenue
Port Washington, New York 11050
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~~) petitioner.

Sworn to before me this

10th day of September, 1974.

Janet Mack

Janet Mack



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION
HEARING UNIT

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

BUILDING 9, ROOM 214A
STATE CAMPUS
ALBANY, N. Y. 12227
AREA CODE 518
457-2655, 6, 7

EDWARD ROOK
SECRETARY TO
COMMISSION

ADDRESS YOUR REPLY TO

DATED: Albany, New York
September 10, 1974

Mr. & Mrs. Fred W. Thurston
33 Bogart Avenue
Port Washington, New York 11050

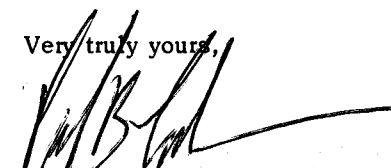
Dear Mr. & Mrs. Thurston:

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 :
FRED W. THURSTON and KATHRYN THURSTON : DEFAULT ORDER
for Redetermination of Deficiency or :
for Refund of Personal Income Taxes :
under Article 22 of the Tax Law for :
the Year 1970. :

Petitioners, Fred W. Thurston and Kathryn Thurston, 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. 0-64724056).

A calendar call on the petition was scheduled at the offices of the State Tax Commission, 114 Old Country Road, Mineola, New York, on July 31, 1974, at 2:00 P.M. Notice of said calendar call was given to petitioners. Petitioners 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 Fred W. Thurston and Kathryn Thurston be and the same is hereby denied.

DATED: Albany, New York
September 10, 1974

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER