

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

THOMAS & VITA GARDELLA

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Personal Income :
Taxes under Article ~~(x)~~ 22 of the :
Tax Law for the Year ~~(x) 1973~~ 1973.:
~~(x) 1973~~

State of New York
County of Albany

John Huhn, being duly sworn, deposes and says that
~~he~~ is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 19th day of October, 1977, ~~he~~ served the within
Notice of Default Order by (certified) mail upon Thomas & Vita Gardella

~~(representative of)~~ the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows:

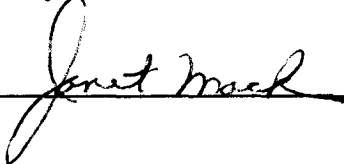
Mr. & Mrs. Thomas Gardella
3rd Street, Box 165
Moriches, New York 11955

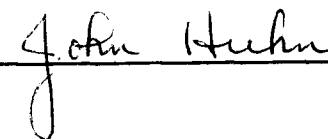
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

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

19th day of October, 1977.







STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT
MILTON KOERNER
THOMAS H. LYNCH

October 19, 1977

TELEPHONE: (518) 457-1723

Mr. & Mrs. Thomas Gardella
3rd Street, Box 165
Moriches, New York 11955

Dear Mr. & Mrs. Gardella:

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

Please take further notice that pursuant to
Section **(x) 690** of the Tax Law, any
proceeding in court to review an adverse deci-
sion 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 or concerning any other matter relative
hereto may be addressed to the undersigned. They
will be referred to the proper party for reply.

Very truly yours,

Aloysius J. Nendza
Supervisor of Tax Conferences

Enc.

cc: ~~XXXXXXXXXXXXXXXXXXXX~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

THOMAS & VITA GARDELLA

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) 1973

Petitioner(s) Thomas and Vita Gardella, 3rd Street, Box 165, Moriches,
New York 11955 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) 1973 . File No. (s) 15898

A pre-hearing conference on the petition was scheduled before

Allen Caplowaith , at the offices of the State
Tax Commission, Dept. of Taxation & Finance, Suffolk Branch Office, Hauppauge, New York
on July 14, 1977 at 10:30 a.m. . Notice of said pre-hearing
conference was given to petitioner(s) ~~and petitioner(s) representative,~~

. Petitioner(s) ~~or petitioner(s) representative~~ did
not appear at the pre-hearing conference . A default has been duly noted.

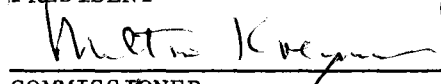
Now on motion of the attorney for the Department of Taxation and Finance,
it is

ORDERED that the petition of Thomas & Vita Gardella
be and the same is hereby denied.

DATED: Albany, New York
October 19, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER