

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
RUSSELL GERSTEIN

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Personal Income :
Taxes under Article(s) 22 of the :
Tax Law for the Year(s) or Period(s) :
1972 & 1973

State of New York
County of Albany

Marsina Donnini, 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 7th day of July, 1977, she served the within
Notice of Default by (certified) mail upon Russell Gerstein

(representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Mr. Russell Gerstein
1989 Catalpa Trail
Las Vegas, Nevada 89108

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 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

7th day of July, 1977

Marsina Donnini

Janet Mack



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

TAX APPEALS BUREAU

STATE CAMPUS
ALBANY, N.Y. 12227

ADDRESS YOUR REPLY TO

July 7, 1977

TELEPHONE: (518) ~~457-1723~~

Mr. Russell Gerstein
1989 Catalpa Trail
Las Vegas, Nevada 89108

Dear Mr. Gerstein:

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: ~~Notation's Representative:~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

RUSSELL GERSTEIN

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) 1972, 1973

Petitioner(s), Russell Gerstein,

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) 1972, 1973. . File No. (s) 15649

A pre-hearing conference on the petition was scheduled before
Dolories Cole, Conferee, at the offices of the State
Tax Commission, Rm. 6531, Two World Trade Center, New York, N. Y. 10047
on March 10, 1977 at 10:30 a.m. . Notice of said pre-hearing
conference was given to petitioner(s) and petitioner(s) representative,
Russell Gerstein . 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

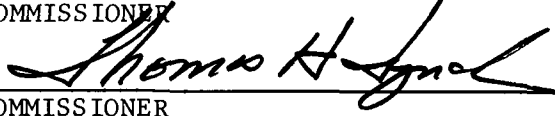
ORDERED that the petition of Russell Gerstein
be and the same is hereby denied.

DATED: Albany, New York
July 7, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER