

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

DAVID LUBELL

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)~~ or Period ~~(s)~~ 1973 :

State of New York  
County of Albany

Bruce Batchelor , 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 14th day of March , 1977 , she served the within  
Notice of Default Order by (certified) mail upon David  
Lubell ~~(representative of)~~ the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Mr. David Lubell  
c/o Mach, Rosenstein Company  
1250 Broadway  
New York, New York 10001  
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

14th day of March , 1977.

Bruce Batchelor

Janet Mach



STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE

TAX APPEALS BUREAU

STATE CAMPUS  
ALBANY, N.Y. 12227

STATE TAX COMMISSION

ADDRESS YOUR REPLY TO

March 14, 1977

TELEPHONE: (518) 457-1723

Mr. David Lubell  
c/o Mach, Rosenstein Company  
1250 Broadway  
New York, New York 10001

Dear Mr. Lubell:

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 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,*  
*Frank J. Puccia*

FRANK J. PUCCIA  
SUPERVISOR OF SMALL  
CLAIMS HEARINGS

Enc.

cc: ~~Petitioner's Representative~~

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

DAVID LUBELL

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) David Lubell, c/o Mach, Rosenstein Company, 1250 Broadway, New York,  
New York 10001, 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) 12699

A small claims hearing on the petition was scheduled before  
Philip Mercurio, Hearing Officer , at the offices of the State  
Tax Commission, Two World Trade Center, Room 65-31, 65th Floor, New York, New York  
on Tuesday, January 25, 1977 at 9:15 A.M. . Notice of said hearing  
was given to petitioner(s) and petitioner(s) representative.

. Petitioner(s) or petitioner(s) representative did  
not appear at the small claims 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 petition of David Lubell  
be and the same is hereby denied.

DATED: Albany, New York  
March 14, 1977

STATE TAX COMMISSION

PRESIDENT

COMMISSIONER

COMMISSIONER