

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

FRANCES DICKSON

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Personal Income :
Taxes under Article (a) 22 of the :
Tax Law for the Year (a) 1970. :
~~(a) 1970~~

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 11th day of August , 1978 , he served the within
Default Order by (certified) mail upon Frances Dickson
~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Frances Dickson
26 E. 63rd Street
New York, NY

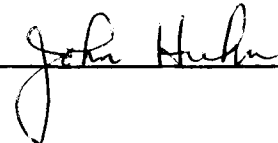
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

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

11th day of August , 1978.





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
FRANCES DICKSON

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) 1970. :

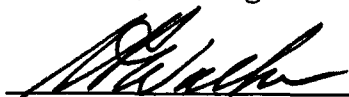
State of New York
County of Albany

John Huhn, 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 11th day of August, 1978, she served the within
Default Order by (certified) mail upon John Mahoney
(representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: John Mahoney
194 Old Country Road
Mineola, NY
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

11th day of August, 1978.







STATE OF NEW YORK
DEPARTMENT OF
TAXATION AND FINANCE
ALBANY, NEW YORK 12227

BERTHLYNN J. DAVIS

SECRETARY TO THE
STATE TAX COMMISSION

August 11, 1978

Frances Dickson
26 E. 63rd Street
New York, NY


Dear Ms. Dickson:

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

Please take further notice that pursuant to Section(s) 690 of the Tax Law, any proceeding in court to review an adverse decision must be commenced within four 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,


BERTHLYNN J. DAVIS
SECRETARY TO THE STATE TAX COMMISSION

Enc.

cc: Petitioner's Representative:
John Mahoney
194 Old Country Road
Mineola, NY
Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

FRANCES DICKSON

DEFAULT ORDER

for Redetermination of Deficiency or for Refund of
Personal Income Taxes under Article(s) 22 of the
Tax Law for the year 1970.

Petitioner(s) Frances Dickson, 26 E. 63rd Street, New York, NY

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 1970 . File No. 13556 .

Under Section 601.5 of the State Tax Commission Rules of Practice and
Procedure, the taxpayer ~~XXXXXXXXXXXXXXXXXXXX~~ taxpayer's representative was served notice to file a
perfected petition. The taxpayer ~~XXXXXXXXXXXXXXXXXXXX~~ taxpayer's representative failed to file a
perfected petition. Notice to file a perfected petition was sent to the taxpayer-
~~XXXXXXXXXXXXXXXXXXXX~~ taxpayer's representative's last known address.

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

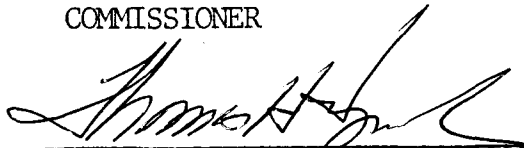
ORDERED that the petition of Frances Dickson
be and the same is hereby denied.

DATED: Albany, New York
August 11, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

See attached letter from Robert Katz dated Oct. 25, 1978, stating PT was timely. File was sent to Al. Nehdya on 1/4/79 to check into this matter. File was kept in Stry's office for four month period and should have been forwarded along with Defaults sent to TAB on 12/19/78, but, because of letter from Robert Katz, ^{file} was pulled from files & kept apart from group of Defaults.



STATE OF NEW YORK
DEPARTMENT OF
TAXATION AND FINANCE
ALBANY, NEW YORK 12227

BERTHLYNN J. DAVIS
SECRETARY TO THE
STATE TAX COMMISSION

August 11, 1978

Frances Dickson
26 E. 63rd Street
New York, NY

Dear Ms. Dickson:

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

Please take further notice that pursuant to Section(s) 690 of the Tax Law, any proceeding in court to review an adverse decision must be commenced within four 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,

BERTHLYNN J. DAVIS
SECRETARY TO THE STATE TAX COMMISSION

Enc.

cc: Petitioner's Representative:
John Mahoney
194 Old Country Road
Mineola, NY
Taxing Bureau's Representative:

STATE OF NEW YORK
Department of Taxation and Finance
TAX APPEALS BUREAU

STATE CAMPUS
ALBANY, N. Y. 12227

REASON CHECKED
Unclaimed _____
Addressed _____
Insufficient Address _____
No such street _____
No such office in city _____
Do not remail in this envelope _____

John Mahoney
194 Old Country Road
Mineola, New York

Mahoney

In the Matter of the Petition

of

FRANCES DICKSON

DEFAULT ORDER

for Redetermination of Deficiency or for Refund of
Personal Income Taxes under Article(s) 22 of the
Tax Law for the year 1970.

Petitioner(s) Frances Dickson, 26 E. 63rd Street, New York, NY

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 1970 . File No. 13556 .

Under Section 601.5 of the State Tax Commission Rules of Practice and
Procedure, the taxpayer ~~taxpayer's representative~~ was served notice to file a
perfected petition. The taxpayer ~~taxpayer's representative~~ failed to file a
perfected petition. Notice to file a perfected petition was sent to the taxpayer-
~~taxpayer's representative's~~ last known address.

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

ORDERED that the petition of Frances Dickson
be and the same is hereby denied.

DATED: Albany, New York
August 11, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

Bernstein, Hurley, Premisler & Katz

ATTORNEYS AT LAW

JOSEPH J. BERNSTEIN (1894-1976)
MARTIN B. BERNSTEIN
EUGENE R. HURLEY, JR.
JONAS H. BERNSTEIN
MICHAEL M. PREMISLER
ROBERT KATZ

194 OLD COUNTRY ROAD
MINEOLA, NEW YORK 11501
516-741-4442
212-868-1676

October 25, 1978

State of New York Department of
Taxation and Finance
Albany, N.Y. 12227

Attention: Berthlynn J. Davis, Secretary to the State Tax
Commissioner

Re: Frances Dickson, Tax Year - 1970

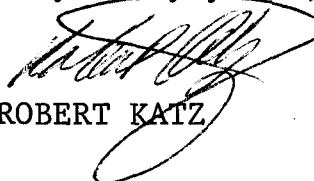
Dear Ms. Davis:

I am in receipt of your letter dated August 11, 1978 and the Notice of Default Order of the State Tax Commission enclosed therewith. I am at somewhat of a loss with reference to this matter inasmuch as, I believe that, a timely perfected petition was filed with reference to this case.

In addition, on or about September 1, 1978 I placed a phone call to your office and was told that you were not in and would return my call. To this date I have heard nothing with regard to this matter. I would appreciate straightening out this matter as soon as possible inasmuch as the four month period allowed for my proceeding in Court is quickly coming to an end. Would you please contact me with regard to this matter and to the amount of tax proposed under this Default Order and the items in question thereunder.

Thank you for your cooperation in this matter.

Very truly yours,



ROBERT KATZ

RK/bjc