

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

ROBERT C. & MARTHA L. DINERSTEIN

AFFIDAVIT OF MAILING

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

State of New York
County of Albany

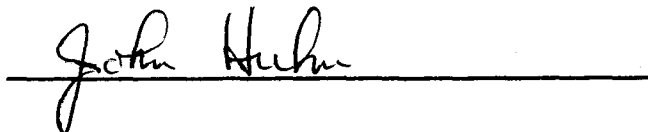
John Huhn, being duly sworn, deposes and says that
she is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 1st day of September, 1978, she served the within
Notice of Short Order Form by (~~certified~~) mail upon Robert C. & Martha L.
Dinerstein (~~representative of~~) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Mr. & Mrs. Robert C. Dinerstein
5 Riverside Drive, Apt. 4A
New York, New York 10023
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

1st day of September, 1978.







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

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

September 1, 1978

TELEPHONE: (518) 457-1723

**Mr. & Mrs. Robert C. Dinerstein
5 Riverside Drive, Apt. 4A
New York, New York 10023**

Dear Mr. & Mrs. Dinerstein:

**Please take notice of the SHORT ORDER FORM of the
State Tax Commission enclosed herewith.**

Very truly yours,

**Aloysius J. Nendza
Assistant Director**

Enclosure

cc: Taxing Bureau's Representative

STATE OF NEW YORK

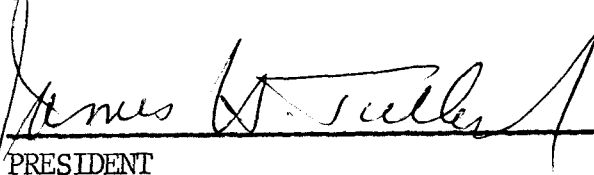
STATE TAX COMMISSION

In the Matter of the Petition :
of :
ROBERT C. & MARTHA L. DINERSTEIN : SHORT ORDER FORM
For Redetermination of a Deficiency under Article 22 of :
the Tax Law for the year 1973 :
:

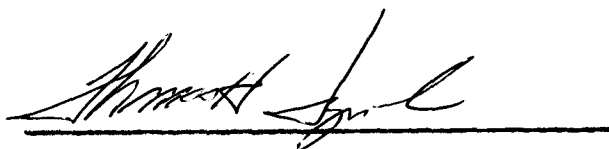
Petitioners' motion for a default decision upon the grounds that the Law Bureau failed to file an answer within 60 days pursuant to Section 601.6(a) of the Rules of Practice is hereby denied in view of the fact that petitioners waited until service of the answer before moving, thereby waiving the 60 day period within which the Law Bureau had to file an answer.

DATED: Albany, New York
September 1, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER