

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :  
of

David J. Fleming :

AFFIDAVIT OF MAILING

for Redetermination of a Deficiency or a Revision :  
of a Determination or a Refund of  
Personal Income Tax :  
under Article 22 of the Tax Law  
for the Years 1972-1974. :

State of New York  
County of Albany

Jay Vredenburg, 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 15th day of October, 1979, he served the within notice of by certified mail upon David J. Fleming, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

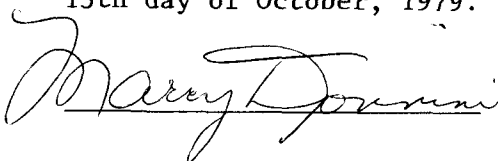
David J. Fleming  
92-35 218 Pl.

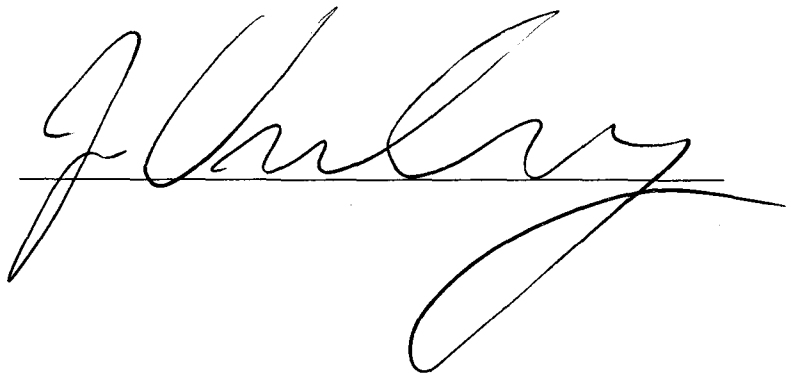
Queens Village, NY 11428

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 petitioner herein and that the address set forth on said wrapper is the last known address of the petitioner.

Sworn to before me this  
15th day of October, 1979.

  
Mary D. Dorman



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

PAUL B. COBURN  
SECRETARY

Telephone: (518) 457-6162

October 15, 1979

David J. Fleming  
92-35 218 Pl.  
Queens Village, NY 11428

Dear Mr. Fleming:

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 this decision 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 may be addressed to the undersigned.

Very truly yours,

PAUL B. COBURN  
SECRETARY TO THE  
STATE TAX COMMISSION

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition :  
of :  
David J. Fleming :  
: DEFAULT ORDER  
for Redetermination of Deficiency or for Refund of :  
Personal Income Tax Taxes under Article(s) 22 :  
of the Tax Law for the Years 1972-1974. :

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Petitioner(s) David J. Fleming, 92-35 218 Pl., Queens Village, NY 11428  
filed a petition for redetermination of deficiency or for refund of Personal  
Income Tax taxes under Article(s) 22 of the Tax Law for the Years 1972-1974  
File No. 18243.

Under Section 601.5 of the State Tax Commission Rules of Practice and  
Procedure, a notice was served on the petitioner(s) to file a perfected  
petition. Notice to file the perfected petition was sent to the petitioner(s)  
last known address. Petitioner(s) failed to file a perfected petition. A  
default has been duly noted.

Now on motion of the Secretary to the State Tax Commission, it is  
ORDERED that the petition of David J. Fleming be and the same is hereby  
denied.

DATED: Albany, New York

OCT 15 1979

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER