

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :  
of  
Ellsworth C. & Doris Wagner :

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 1971,1972. :

State of New York  
County of Albany

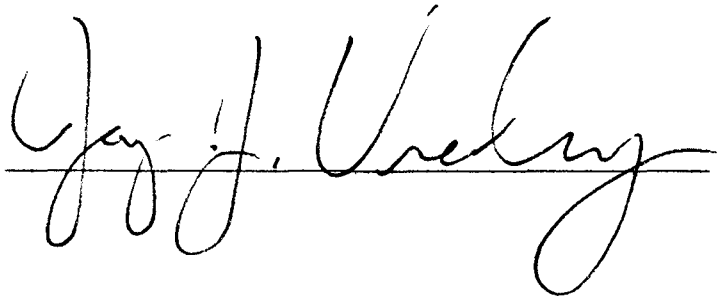
Jay Vredenburg, being duly sworn, deposes and says that he is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 31st day of August, 1979, he served the within notice of Default by certified mail upon Ellsworth C. & Doris Wagner, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

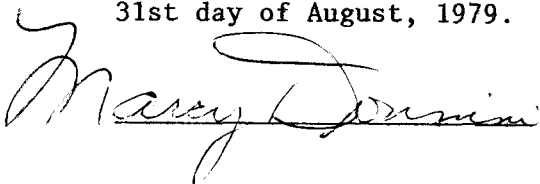
Ellsworth C. & Doris Wagner  
4 North Drive  
Lakeview, NY 14085

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  
31st day of August, 1979.





STATE OF NEW YORK  
STATE TAX COMMISSION

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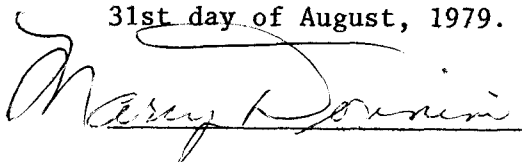
Jay Vredenburg, being duly sworn, deposes and says that he is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 31st day of August, 1979, he served the within notice of Default by certified mail upon Francis A. Licker the representative of the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

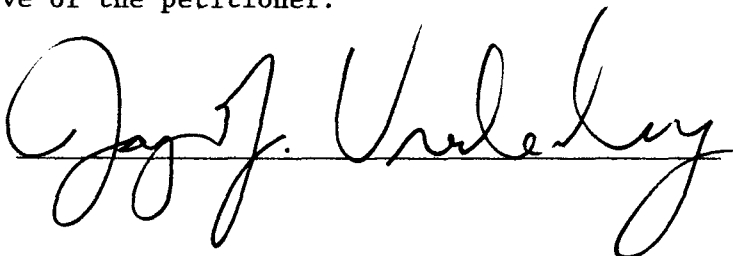
Mr. Francis A. Licker  
1605 Kenmore Avenue  
Kenmore, NY 14217

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  
31st day of August, 1979.

  
Mary L. Dorman

  
Jay Vredenburg



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

STATE TAX COMMISSION  
JAMES H. TULLY JR., PRESIDENT  
MILTON KOERNER  
THOMAS H. LYNCH

JOHN J. SOLLECITO  
DIRECTOR

Telephone: (518) 457-1723

August 31, 1979

Ellsworth C. & Doris Wagner  
4 North Drive  
Lakeview, NY 14085

Dear Mr. & Mrs. Wagner:

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 Deputy Commissioner and Counsel to the New York State Department of Taxation and Finance, Albany, New York 12227. Said inquiries will be referred to the proper authority for reply.

Very truly yours,

*Victoria Gary*

cc: Petitioner's Representative  
Francis A. Licker  
1605 Kenmore Avenue  
Kenmore, NY 14217  
Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
ELLSWORTH C. and DORIS WAGNER  
for Redetermination of Deficiency or for Refund of  
Personal Income  
Taxes under Article ~~(s)~~ 22 of the Tax Law for the  
Year(s) 1971 and 1972

DEFAULT ORDER

Petitioner(s) Ellsworth C. and Doris Wagner, 4 North Drive, Lakeview,  
New York 14085 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) 1971 and 1972. File No. ~~(s)~~ 14992  
A small claims hearing on the petition was scheduled before  
Carl P. Wright, Hearing Officer, at the offices of the State  
Tax Commission, Genesee Building, One West Genesee Street, Suite 750,  
Buffalo, New York 14202  
on April 23, 1979 at 2:45 P.M. . Notice of said small claims  
hearing was given to petitioner(s) and petitioner(s) representative, Francis A.  
Licker . 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

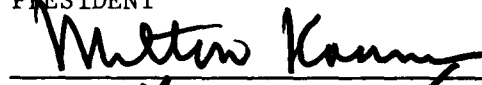
ORDERED that the petition of ELLSWORTH C. & DORIS WAGNER  
be and the same is hereby denied.


DATED: Albany, New York

AUG 31 1979

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER