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JAMES H. TULLY, JR., PRESIDENT FRANCIS R. KOENIG MARK FRIEDLANDER

October 16, 1981

Brooks Banker 6515 Leyland Park Dr. San Jose, CA 95120

Dear Mr. Banker:

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,

Kathy Pfaffenback

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Petition

of

Brooks Banker

DEFAULT ORDER

81-F-33

for Redetermination of Deficiency or for Refund of :

Personal Income Tax under Article 22

of the Tax Law for the Year 1975.

Petitioner(s) Brooks Banker, filed a petition for redetermination of deficiency or for refund of Personal Income Tax under Article 22 of the Tax Law for the Year 1975. File No. 25552.

A formal hearing on the petition was scheduled before Gasper Fasullo, at the offices of the State Tax Commission, Two World Trade Center, Room 65-51, New York, New York 10047 on Wednesday, August 26, 1981 at 1:15 p.m. Notice of said formal hearing was given to petitioner(s). Petitioner(s) did not appear at the formal hearing. A default has been duly noted.

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

ORDERED that the petition of Brooks Banker, be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
October 16, 1981