

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

PAUL B. COBURN
SECRETARY
Telephone: (518) 457-6162

January 30, 1981

Richard C. & Sandra J. Schneller
735 Lake Rd.
Ontario, NY 14519

Dear Mr. & Mrs. Schneller:

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

Please take further notice that pursuant to Section(s) 722 & 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.

Inquires 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

In the Matter of the Petition :
of :
Richard C. & Sandra J. Schneller : DEFAULT ORDER
: 81-P-2
for Redetermination of Deficiency or for Refund of :
Personal Income & UBT under Article(s) 22 & 23 :
of the Tax Law for the Years 1976 & 1977. :

Petitioner(s) Richard C. & Sandra J. Schneller filed a petition for redetermination of deficiency or for refund of Personal Income & UBT under Article(s) 22 & 23 of the Tax Law for the Years 1976 & 1977. File No. 28606.

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 Richard C. & Sandra J. Schneller be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
JANUARY 30, 1981

February 24, 1981

Mr. Richard Schneller
Bel-Gra Printers
Route 104
Williamson, New York 14589

RE: RICHARD C. & SANDRA J. SCHNELLER

Dear Mr. Schneller:

This is to acknowledge receipt of your letter of February 12, 1981 together with the copy of a perfected petition attached thereto.

I have spoken to Mr. Nendza of the Tax Appeals Bureau and he has agreed to consider the copy of the perfected petition submitted by you as a properly filed petition.

Therefore the default order issued by the State Tax Commission dated January 30, 1981 is vacated.

Very truly yours,

PAUL B. COBURN
Secretary to the State Tax Commission

PBC:mac

cc: Aloysius Nendza, Assistant Director
Tax Appeals Bureau

Bel-Gra Printers

ROUTE 104 WILLIAMSON, NEW YORK 14589
PHONE: 589-2204 - AREA CODE 315

February 12, 1981

State Tax Commission
State of New York
Albany, N.Y. 12227

Dear Sir;

In response to our telephone conversation Feb. 5,
I am writing this letter to have the default notice
vacated. As far as I know, I have filed all forms
the state has required.

Enclosed are copies requested.

Sincerely,
Richard Schneller



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

PAUL B. COBURN
SECRETARY
Telephone: (518) 457-6162

January 30, 1981

Richard C. & Sandra J. Schneller
735 Lake Rd.
Ontario, NY 14519

Dear Mr. & Mrs. Schneller:

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Inquires 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

They sent two copies



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

JAMES H. TULLY JR., PRESIDENT
THOMAS H. LYNCH
FRANCIS R. KOENIG

TELEPHONE: (518) 457-1723

October 27, 1980

Richard Schneller
735 Lake Road
Ontario, N.Y. 14519

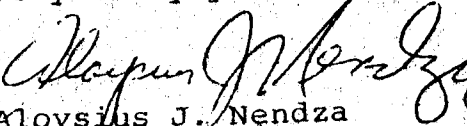
Re: Richard C. & Sandra J. Schneller
TAB #28606
Personal Income Tax & UBT
Years 1976 & 1977

Dear Mr. Schneller:

The Perfected Petition that you submitted on October 24, 1980, is hereby returned to you. You must complete page 2, item 12 in more detail than simply "Business Mileage". In separately numbered paragraphs please explain why it should be allowed.

You have thirty (30) days from the date of this letter to submit a corrected Perfected Petition. Please use the return envelope provided.

Very truly yours,


Aloysius J. Nendza
Assistant Director

Encs.

STATE OF NEW YORK
STATE TAX COMMISSION

IN THE MATTER OF THE PETITION

OF

(1) RICHARD C & SANDRA J SCHNELLER
for (2) ARTICLE 22423

**PERFECTED
PETITION**

IDENTIFYING NO. (3) 521-42 7573
(for tax administration purposes only)

Petitioner RICHARD C SCHNEIDER Telephone No. (315) 589-2204

Address (4) 735 LAKE RD CANTON NY 14519

Petitioner's representative, if any _____ Telephone No. () _____

Address _____

The petitioner hereby petitions for (5) REDETERMINATION OF A DEFICIENCY

_____ pursuant to the New York State Tax Law, and in support of such petition

alleges the following:

The petitioner received notice of (6) OF DEFICIENCY

pursuant to (7) ART 1014E 22 & 23 dated (8) JULY 18, 1975

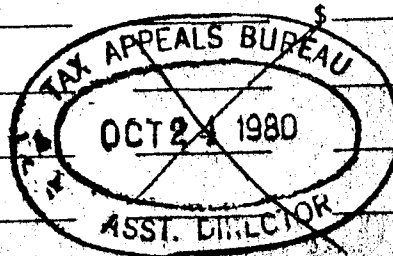
from (9) N. VS. INGLE BUKHAI

The notice provided that the tax or taxes determined were for the years or periods in the amounts of: (10)

(A) YEAR OR PERIOD	(B) TAX ARTICLE	(C) AMOUNT OF TAX DETERMINED
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(A) YEAR OR PERIOD	(B) TAX ARTICLE	(C) AMOUNT OF TAX DETERMINED
1967	100	100
1968	100	100
1969	100	100
1970	100	100
1971	100	100
1972	100	100
1973	100	100
1974	100	100
1975	100	100
1976	100	100
1977	100	100
1978	100	100
1979	100	100
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2070	100	100
2071	100	100
2072	100	100
2073	100	100
2074	100	100
2075	100	100
2076	100	100
2077	100	100
2078	100	100
2079	100	100
2080	100	100
2081	100	100

1976 & 77 \$ 577.69



TOTALS \$ _____

The petitioner alleges that the (11) N.Y.S. INCOME TAX bureau made the

following errors: (12)

BUSINESS MILEAGE

- (1) our business is located in a rural area. our customers are spread from Lyons to Rochester. Due to the nature of our business & the spread which has to be done, we find it necessary to go to Rochester to pick up paper, ink, & many other supplies 2 to 3 times per week.
- (2) We deliver almost all of our work over a wide area which is substantiated by our account records. We also frequently call on customers to receive work.
- (3) For the period in question we had a 1971 Chevrolet with 171,000 miles registered. In 1977 we purchased a Chevy truck which now has over 120,000 miles. We have 3 other cars which we use for our personal use.
- It is our estimation that we most likely drove over 30,000 miles per year on business concerns.

No other action has heretofore been commenced before the State Tax Commission in respect to any of the items herein before stated, nor has any relief been previously granted in respect thereto:

WHEREFORE, the petitioner prays that (13) GIVEN CORRECT MILEAGE ALLOWANCE

_____ and respectfully demands that this petition be granted.

This statement is made with the knowledge that a willfully false representation is a misdemeanor punishable under section 210.45 of the Penal Law.

10/20/80

Date

Ronald C. Schmitt

Signature of Taxpayer or Representative*

* **NOTE:** If the petition is signed by any person other than the taxpayer, it must be accompanied by a duly executed power of a attorney unless either (1) a power of attorney has already been filed, or (2) the taxpayer is a minor whose return was filed by the signing the petition or is mentally or physically incapable of signing.