



New York State Tax Commission

TAX APPEALS BUREAU

State Campus,
Albany, New York 12227

JOHN J. SOLLECITO

DIRECTOR

Telephone: (518) 457-1723

STATE TAX COMMISSION

JAMES H. TULLY, JR., PRESIDENT

FRANCIS R. KOENIG

MARK FRIEDLANDER

November 20, 1981

Kenneth Wheeler
121 Avenue D., Apt. #3
Melbourne, FL 32901

Dear Mr. Wheeler:

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 Pfaffenbach

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Kenneth Wheeler : DEFAULT ORDER
: 81-S-39
for Redetermination of Deficiency or for Refund of :
Personal Income Tax under Article 22 :
of the Tax Law for the Year 1973. :

Petitioner(s) Kenneth Wheeler, filed a petition for redetermination of deficiency or for refund of Personal Income Tax under Article 22 of the Tax Law for the Year 1973. File No. 29153.

A small claims hearing on the petition was scheduled before James Hoefer, at the offices of the State Tax Commission, State Campus, Bldg. 9, Rm. 107, Albany, New York 12227 on Thursday, September 17, 1981 at 10:45 a.m. Notice of said small claims hearing was given to petitioner(s). Petitioner(s) did not appear at the small claims hearing. A default has been duly noted.

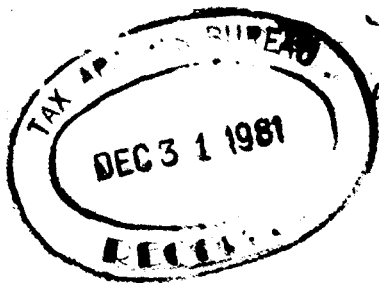
Now on motion of the attorney for the Department of Taxation and Finance, it is

ORDERED that the petition of Kenneth Wheeler, be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
November 20, 1981

UNCLAIMED

279
12-3-81



Kenneth Wheeler
121 Avenue D., Apt. #3
Melbourne, FL 32901

TA 26 (9-79)
STATE OF NEW YORK
State Tax Commission
TAX APPEALS BUREAU
STATE CAMPUS
ALBANY, N. Y. 12227

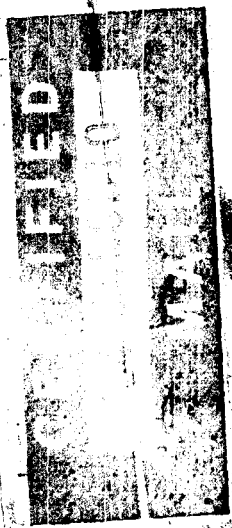
Detached from
PS Form 3849-A
Oct 1980

RETURN
12-3
2ND NOTICE

1ST NOTICE

DATE 11/23/81
HOLD

CLAIM CHECK
NO. 552871





STATE OF NEW YORK
STATE TAX COMMISSION

MEMORANDUM

AD-53.2(11/83)

TO: John Sollecito

OFFICE: Secretary to the
State Tax Commission

FROM: Paul B. Coburn

DATE: 12/23/83

SUBJECT: Kenneth Wheeler

The taxpayer is apparently requesting that the small claims hearing default order issued on November 21, 1981 be vacated.

Please make a recommendation to the Commission as to disposition of the request.

PAUL B. COBURN
Secretary to the State Tax Commission

PBC/lvj

Attachment

December 16, 1983

Secretary of State Tax Commission
Building 9, State Campus
Albany, N.Y. 12227

Re: Kenneth Wheeler, Case #A7904170221,
File #8-69030392

Dear Sir:

I am sending this letter to request that you reopen my tax assessment case (as numbered above) on the grounds that the information supplied to you by my employer of 1973 was falsified and in error.

The proof of this is the decision made by the Federal Audit on my 1973 Federal income tax where they confirmed that my employer had falsified the records, and claimed I had made more income than I really had. Copies of the audit and/or income tax form for that year have been requested by me, and I am presently waiting for them.

I defaulted the original proceedings since I could not be present at the conference. I live in Florida and would find it a great hardship to travel to New York for a hearing. I sent a letter of explanation, yet it did no good.

I intend on paying the tax that I owe when the tax is refigured and charged on my correct earnings for that year. I will then send the check immediately.

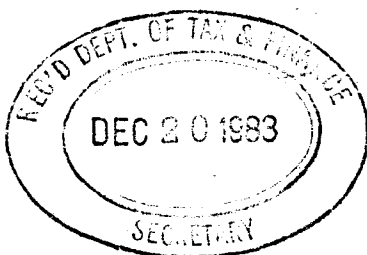
I would appreciate your consideration, and attention to this matter.

Thanking you in advance,

Sincerely,

Kenneth R. Wheeler

Kenneth R. Wheeler
735 B Morris Ave.
Palm Bay, Fl. 32905
305-729-6553





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TAX APPEALS BUREAU

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Albany, New York 12227

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Very truly yours,

Kathy Pfaffenbach

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