February 10, 1986

John Simons 234 E. 40th St. New York, NY 10001

Dear Mr. Simmons:

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

Please take further notice that pursuant to Section(s) 1312 & 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 at the above address.

Very truly yours,

Joseph Chyrywaty

Supervisor of Tax Conferences

cc: Taxing Bureau's Representative

In the Matter of the Petition

of

John Simons DEFAULT ORDER

86-C-3

for Redetermination of a Deficiency or Revision of

a Determination or Refund of

NYS & NYC Income Tax under Article 22 & 30

of the Tax Law for the Year 1980.

Petitioner(s) John Simons filed a petition for redetermination of a deficiency or revision of a determination or refund of NYS & NYC Income Tax under Article 22 & 30 of the Tax Law for the Year 1980. File No. 57646.

A pre-hearing conference on the petition was scheduled before Robert A. Healey, at the offices of the State Tax Commission, Two World Trade Center, Room 65-51 New York, New York 10047 on Wednesday, November 13, 1985 at 11:30 a.m. Notice of said pre-hearing conference was given to petitioner(s). Petitioner(s) did not appear at the pre-hearing conference. A default has been duly noted.

Now on motion of the State Tax Commission, it is

ORDERED that the petition of John Simons be and the same is hereby denied.

DEFAULT ORDER ADOPTED BY THE STATE TAX COMMISSION ALBANY, NEW YORK FEBRUARY 10, 1986