

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

RICHARD B. BYRNES

AFFIDAVIT OF MAILING

d/b/a R. BYRNES DELICATESSEN  
For a Redetermination of a Deficiency or  
a Revision of a Determination or a Refund  
of Sales & Use  
Taxes under Article(s) 28 & 29 of the  
Tax Law for the ~~Year(s)~~ Period(s)  
3/1/70 to 4/1/73.

State of New York  
County of Albany

Catherine Steele, being duly sworn, deposes and says that  
she is an employee of the Department of Taxation and Finance, over 18 years of  
age, and that on the 7th day of October, 1976, she served the within  
Notice of Default Order by ~~(XXXXXX)~~ mail upon Richard B. Byrnes

~~(representative of)~~ the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows:  
Mr. Richard B. Byrnes  
d/b/a R. Byrnes Delicatessen  
41 Bosko Drive  
East Brunswick, New Jersey 08816  
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)~~  
~~(XXXXXX)~~ 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

7th day of October, 1976.

Janet Mack

Catherine Steele



STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

TAX APPEALS BUREAU  
STATE CAMPUS  
ALBANY, N.Y. 12227

ADDRESS YOUR REPLY TO

October 7, 1976

TELEPHONE: (518) 457-3850

Mr. Richard B. Byrnes  
d/b/a R. Byrnes Delicatessen  
41 Bosko Drive  
East Brunswick, New Jersey 08816

Dear Mr. Byrnes:

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

Please take further notice that pursuant to  
Section(s) **1138 & 1243** of the Tax Law, any  
proceeding in court to review an adverse deci-  
sion 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 or concerning any other matter relative  
hereto may be addressed to the undersigned. They  
will be referred to the proper party for reply.

Very truly yours,

*Aloysius J. Nendza*  
Aloysius J. Nendza  
Supervisor of Tax  
Conferences

Enc.

cc: ~~Periodicals Department~~

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition  
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of  
Richard B. Byrnes  
d/b/a R. Byrnes Delicatessen  
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DEFAULT ORDER  
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for Revision or for Refund of Sales & Use Taxes  
:  
under Article(s) 28 & 29 of the Tax Law for the  
~~Year(s)~~ Period 3/1/70 to 4/1/73  
:  
:

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Petitioner(~~s~~) Richard B. Byrnes d/b/a R. Byrnes Delicatessen, 41 Busko Drive,  
East Brunswick, N.J. 08816 filed a petition for revision or for refund of  
Sales & Use taxes under Article(s) 28 & 29 of the Tax Law for the  
~~year(s)~~ period 3/1/70 to 4/1/73 . File No.(s) 10056

A conference on the petition was scheduled before  
Eugene Welch, Conferee , at the offices of the State  
Tax Commission, Two World Trade Center, Rm. 6531, New York, New York  
on June 2, 1976 at 9:00 A.M. . Notice of said conference  
was given to petitioner (~~s~~) and petitioner (~~s~~) representative,

. Petitioner (~~s~~) or petitioner (~~s~~) representative did  
not appear at the conference . 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 Richard B. Byrnes  
be and the same is hereby denied.

DATED: Albany, New York  
October 7, 1976

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER