



STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE

BUILDING 9, ROOM 214A

STATE CAMPUS

ALBANY, N. Y. 12226

AREA CODE 518

457-2655, 6, 7

STATE TAX COMMISSION

HEARING UNIT

EDWARD ROOK

SECRETARY TO  
COMMISSION

STATE TAX COMMISSION

Mario A. Procaccino,

~~XXXXXXXXXXXX~~ PRESIDENT

A. BRUCE MANLEY

MILTON KOERNER

ADDRESS YOUR REPLY TO

Dated: Albany, New York

December 5, 1973

Peters Fine Foods  
Utica Chocolate Shop  
55 Franklin Square  
Utica, New York 13501

Gentlemen:

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.

Any 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.  
These will be referred to the proper party for  
reply.

Very truly yours,

L. Robert Leisner

HEARING OFFICER

Enc.

cc: Petitioner's Representative  
Law Bureau

STATE OF NEW YORK

STATE TAX COMMISSION

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In the Matter of the Application  
of  
PETERS FINE FOODS UTICA CHOCOLATE SHOP  
for Revision or for Refund of Sales and  
Use Tax under Article 28 of the Tax Law  
for the Period March 1, 1968 through  
May 31, 1971.

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DEFAULT ORDER

Applicant, Peters Fine Foods, Utica Chocolate Shop, filed an application for revision or for refund of Sales and Use taxes under Article 28 of the Tax Law for the period March 1, 1968 through May 31, 1971. (Notice No. 90746568).

A calendar call on the application was scheduled before Honorable Bruce Manley, State Tax Commissioner, at the offices of the State Tax Commission, Utica, New York, on October 26, 1973, at 11:45 A.M. Notice of said calendar call was given to applicant and applicant's representative Goldbas & Goldbas, Utica, New York. Applicant or applicant's representative did not appear at the calendar call. A default has been duly noted.

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

ORDERED that the application of Peters Fine Foods Utica Chocolate Shop be and the same is hereby denied.

DATED: Albany, New York  
December 5, 1973

STATE TAX COMMISSION

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

STATE TAX COMMISSION

In the matter of the application of

of

DEWEY, JOHN

PETER, JOHN FOODS, INC. CHOCOLATE SHOP

for revision or for refund of sales and  
use tax under Article 28 of the Tax Law  
for the period March 1, 1968 through  
May 31, 1971.

Applicant, Peter, John Foods, Inc. Chocolate Shop, filed

an application for revision or for refund of sales and use taxes

under Article 28 of the Tax Law for the period March 1, 1968

through May 31, 1971. (Notice No. 907-68)

A calendar call on the application was scheduled before

Honorable Bruce M. Harlow, State Tax Commissioner, at the offices

of the State Tax Commission, Utica, New York, on October 24, 1971.

At 11:45 A.M. notice of said calendar call was given to applicant

and applicant's representative, Edward J. Collier, Utica, New York.

Applicant's representative did not appear at the

calendar call. Applicant has been duly noted.

Now on motion of the attorney for the Department of Taxation

and Finance, it is

ORDERED that the application of Peter, John Foods, Inc.

Chocolate Shop be and the same is hereby denied.

WALTER A. ALBANY, New York

December 1, 1971

STATE TAX COMMISSION

COMMISSIONER

COMMISSIONER

COMMISSIONER

AD 22 (11-22) 100M

STATE OF NEW YORK  
Department of Taxation and Finance  
ESTATE CAMPUS  
ALBANY, N. Y. 12227



Peters Fine Foods  
Utica Chocolate Shop  
55 Franklin Square  
Utica, New York 13501

ATT:  
L. Robert Leeson  
Bldg #9



DEFEAT  
MUSCULAR DYSTROPHY  
SUPPORT MDAA

STATE OF NEW YORK  
STATE TAX COMMISSION

Application  
In the Matter of the ~~Petition~~

of  
PETERS FINE FOODS UTICA CHOCOLATE SHOP

AFFIDAVIT OF MAILING  
OF NOTICE OF DECISION  
BY (CERTIFIED) MAIL

For a Redetermination of a Deficiency or  
a Refund of Sales & Use  
Taxes under Article(s) 28 & 29 of the  
Tax Law for the ~~(Year(s))~~ Period March 1, 1968  
through May 31, 1971

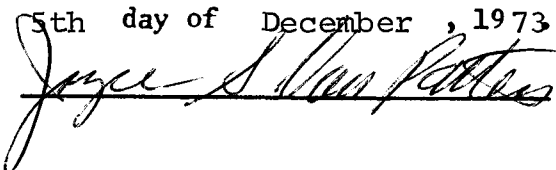
State of New York  
County of Albany

Martha Funaro , 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 5th day of December , 1973 , she served the within  
Notice of Decision (or Determination) by (certified) mail upon Peters Fine Foods  
Utica Chocolate Shop (representative of) the petitioner in the within  
proceeding, by enclosing a true copy thereof in a securely sealed postpaid  
wrapper addressed as follows: Peters Fine Foods Utica Chocolate Shop  
55 Franklin Square  
Utica, New York 13501  
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 Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative  
of) 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

5th day of December , 1973





STATE OF NEW YORK  
STATE TAX COMMISSION

Application  
In the Matter of the ~~Petitioner~~

of

PETERS FINE FOODS UTICA CHOCOLATE SHOP

AFFIDAVIT OF MAILING  
OF NOTICE OF DECISION  
BY (CERTIFIED) MAIL

For a Redetermination of a Deficiency or  
a Refund of Sales & Use  
Taxes under Article(s) 28 & 29 of the  
Tax Law for the ~~(Year(s))~~ Period March 1, 1968  
through May 31, 1971

State of New York  
County of Albany

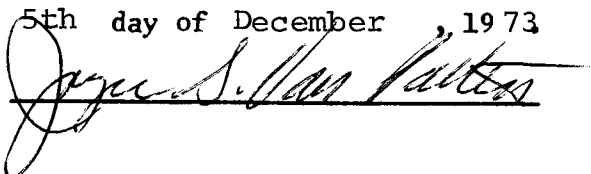
Martha Funaro , being duly sworn, deposes and says that  
she is an employee of the Department of Taxation and Finance, over 18 years of  
age, and that on the 5th day of December , 1973 , she served the within  
Notice of Decision (or Determination) by (certified) mail upon Goldbas & Goldbas  
(representative of) the petitioner in the within  
proceeding, by enclosing a true copy thereof in a securely sealed postpaid  
wrapper addressed as follows: Goldbas & Goldbas  
First National Bank Bldg.  
Utica, New York 13501

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 Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative  
of) 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

5th day of December , 1973







STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE

BUILDING 9, ROOM 214A

STATE CAMPUS

ALBANY, N. Y. 12226

AREA CODE 518

457-2655, 6, 7

STATE TAX COMMISSION  
HEARING UNIT

EDWARD ROOK  
SECRETARY TO  
COMMISSION

STATE TAX COMMISSION  
Mario A. Procaccino,  
~~XXXXXXXXXXXX~~ PRESIDENT  
A. BRUCE MANLEY  
MILTON KOERNER

ADDRESS YOUR REPLY TO

**Dated:** Albany, New York

**December 5, 1973**

**Peters Fine Foods  
Utica Chocolate Shop  
55 Franklin Square  
Utica, New York 13501**

**Gentlemen:**

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.

Any 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.  
These will be referred to the proper party for  
reply.

Very truly yours,

**L. Robert Leisner**

HEARING OFFICER

Enc.

cc: Petitioner's Representative  
Law Bureau



STATE OF NEW YORK

STATE TAX COMMISSION

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In the Matter of the Application	:	
	:	
of	:	
	:	
PETERS FINE FOODS UTICA CHOCOLATE SHOP	:	<u>DEFAULT ORDER</u>
	:	
for Revision or for Refund of Sales and	:	
Use Tax under Article 28 of the Tax Law	:	
for the Period March 1, 1968 through	:	
May 31, 1971.	:	

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Applicant, Peters Fine Foods, Utica Chocolate Shop, filed an application for revision or for refund of Sales and Use taxes under Article 28 of the Tax Law for the period March 1, 1968 through May 31, 1971. (Notice No. 90746568).

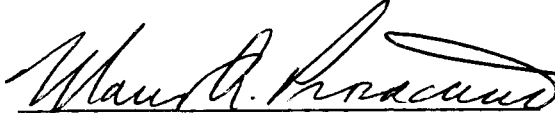
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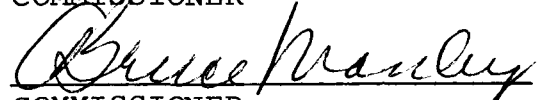
Now on motion of the attorney for the Department of Taxation and Finance, it is

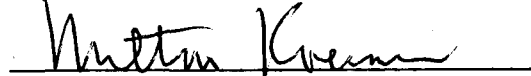
ORDERED that the application of Peters Fine Foods Utica Chocolate Shop be and the same is hereby denied.

DATED: Albany, New York  
December 5, 1973

STATE TAX COMMISSION

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER