

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
HERMAN GITTER

AFFIDAVIT OF MAILING

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) or~~ Period(s) :
October 20, 1976

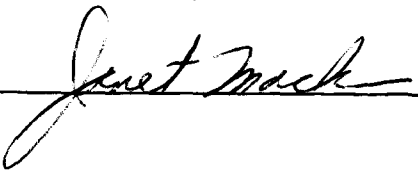
State of New York
County of Albany

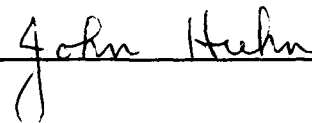
John Huhn, being duly sworn, deposes and says that
he is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 3 day of October, 1977, he served the within
Notice of Default Order by (~~certified~~) mail upon Herman Gitter
(~~representative of the~~) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Herman Gitter
1580 East 19th Street
Brooklyn, NY 11230
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~~) 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

3 day of October, 1977







STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227
October 3, 1977

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT
MILTON KOERNER
THOMAS H. LYNCH

TELEPHONE: (518) 457-1723

Herman Gitter
1580 East 19th Street
Brooklyn, NY 11230

Dear Mr. Gitter

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. Mendze
Aloysius J. Mendze

Supervisor of Tax Conferences

Enc.

cc: ~~Prothonotary Public~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
HERMAN GITTER
for Revision or for Refund of Sales & Use Taxes
under Article(s) 28 & 29 of the Tax Law for the
~~Year(s)~~ Period October 20, 1976

DEFAULT ORDER

Petitioner(s) Herman Gitter, 1580 East 19th Street, Brooklyn, New York 11230
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 October 20, 1976 . File No.(s) 17246

A pre-hearing conference on the petition was scheduled before
Frank Fleury, Conferee , at the offices of the State
Tax Commission, Dept. of Taxation & Finance, 141 Livingston St., Brooklyn, New York
on May 17, 1977 (Tuesday) at 2:45 P.M. . Notice of said pre-hearing
conference was given to petitioner ~~(s) and petitioner(s) representative(s)~~
. Petitioner ~~(s) or petitioner(s) representative(s)~~ did
not appear at the pre-hearing 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 Herman Gitter
be and the same is hereby denied.

DATED: Albany, New York

October 3, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER