

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

FAZIO TRUCKING CORP.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or  
a Revision of a Determination or a Refund  
of Sales and Use  
Taxes under Article(s) 28 & 29 of the  
Tax Law for the Year(s) or Period(s)  
5/31/68 - 2/28/74.

State of New York  
County of Albany

Bruce Batchelor, 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 14th day of January, 1977, he served the within  
Notice of Default Order by ~~(certified)~~ mail upon Fazio Trucking Corp.

(~~representative of~~) the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Fazio Trucking Corp.  
1580 Fifth Avenue  
Bayshore, NY 11706

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

14th day of January, 1977.

Bruce Batchelor

Janet Mack

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of  
FAZIO TRUCKING CORP.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :  
a Revision of a Determination or a Refund :  
of Sales and Use :  
Taxes under Article(s) 28 & 29 of the :  
Tax Law for the ~~XXXXXX~~ or Period(s) :  
5/31/68 - 2/28/74.

State of New York  
County of Albany

Bruce Batchelor , 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 14th day of January , 19 77, ~~she~~ served the within  
Notice of Default Order by (~~certified~~) mail upon Stephen Stackel, Esq.

(representative of) the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Stephen Stackel, Esq.  
11 Grace Avenue  
Great Neck, NY

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

14th day of January , 1977.

Bruce Batchelor

Janet Bracke



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

January 14, 1977

TELEPHONE: (518) **457-1723**

Fazio Trucking Corp.  
1580 Fifth Avenue  
Bayshore, NY 11706

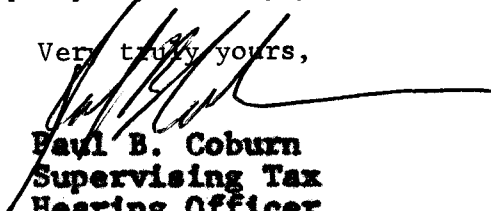
Gentlemen:

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.

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,

  
**Paul B. Coburn**  
**Supervising Tax**  
**Hearing Officer**

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
FAZIO TRUCKING CORP.  
for Revision or for Refund of Sales and Use Taxes  
under Article(s) 28 and 29 of the Tax Law for the  
~~XXXXXX~~ Period 5/31/68 - 2/28/74.

DEFAULT ORDER

Petitioner(~~x~~) Fazio Trucking Corp., 1580 Fifth Avenue, Bayshore,  
New York, 11706, filed a petition for revision or for refund of  
Sales and Use taxes under Article(s) 28 and 29 of the Tax Law for the  
~~XXXXXX~~ period 5/31/68 - 2/28/74 . File No. (~~x~~) 10101

A Formal Hearing on the petition was scheduled before Archibald F.  
Robertson, Jr., Hearing Officer, at the offices of the State  
Tax Commission, Two World Trade Center, Room 65-31, 65th Floor, New York, N.Y.  
on Friday, December 3, 1976, at 2:45 P.M. . Notice of said Formal  
Hearing was given to petitioner(s) and petitioner(s) representative, Stephen  
Stackel, Esq. . Petitioner(~~x~~) or petitioner(s) representative did  
not appear at the scheduled 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 Fazio Trucking Corp.  
be and the same is hereby denied.

DATED: Albany, New York  
January 14, 1977

STATE TAX COMMISSION

*James G. Trekel*

PRESIDENT

*Milton Korman*

COMMISSIONER

*Thomas H. Gault*

COMMISSIONER