

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

BRIGHT WATERS DRIVE-IN

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~~ Period (X)
3/1/69 - 2/29/72.

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 25th day of May, 1977, ~~she~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Bright Waters Drive-In

~~(representative of)~~ the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows:

Bright Waters Drive-In, Inc.
Sunrise Highway & Pine Drive
Bay Shore, New York

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)~~
~~XXXXXX~~ petitioner herein and that the address set forth on said wrapper is the
last known address of the ~~(representative of)~~ petitioner.

Sworn to before me this

25th day of May, 1977.

Bruce Batchelor

Janet Mack



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

May 25, 1977

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

Bright Waters Drive-In, Inc.
Sunrise Highway & Pine Drive
Bay Shore, New York

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 and 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,
Frank J. Puccia

Frank J. Puccia
Supervisor of
Small Claims Hearings

Enc.

cc: ~~Periodicals Department~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
BRIGHT WATERS DRIVE-IN
for Revision or for Refund of Sales & Use Taxes
under Article(s) 28 & 29 of the Tax Law for the
~~Year(s)~~ Period 3/1/69-2/29/72

DEFAULT ORDER

Petitioner(s) Bright Waters Drive-In Inc., Sunrise Highway and Pine Drive, Bay Shore, New York filed a petition for revision or for refund of sales and use taxes under Article(s) 28 & 29 of the Tax Law for the period ~~Year(s)~~ 3/1/69-2/29/72 . File No. ~~(s)~~ 00197.

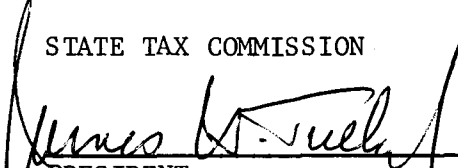


A small claims hearing on the petition was scheduled before Philip Mercurio, Small Claims Hearing Officer, at the offices of the State Tax Commission, Two World Trade Center, 65th Floor, Room 65-51, New York, N. Y. on Monday, March 28, 1977 at 9:15 a.m. . Notice of said small claims hearing was given to petitioner(s) and ~~petitioner(s) representative,~~

. Petitioner(s) ~~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 Bright Waters Drive-In Inc. be and the same is hereby denied.

DATED: Albany, New York
May 25, 1977

STATE TAX COMMISSION

PRESIDENT

COMMISSIONER

COMMISSIONER

TA-26 (4-76) **SMALL CLAIMS**

STATE OF NEW YORK

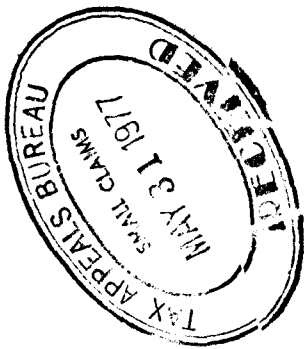
Department of Taxation and Finance

TAX APPEALS BUREAU

STATE CAMPUS

ALBANY, N. Y. 12227

Bright Waters Drive-In, Inc.
Sunrise Highway & Pine Drive
Bay Shore, New York



6/1/77



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

May 25, 1977

TELEPHONE: (518) 457-1723

┌ Bright Waters Drive-In, Inc.
Sunrise Highway & Pine Drive
Bay Shore, New York

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 and 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,
Frank J. Puccia

Frank J. Puccia
Supervisor of
Small Claims Hearings

Enc.

cc: ~~Taxpayer's Representative~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

BRIGHT WATERS DRIVE-IN

DEFAULT ORDER

for Revision or for Refund of **Sales & Use** Taxes

under Article(s) **28 & 29** of the Tax Law for the

~~XXXXX~~ **Year(s) Period 3/1/69-2/29/72**

Petitioner(s) **Bright Waters Drive-In Inc., Sunrise Highway and Pine Drive, Bay Shore, New York** filed a petition for revision or for refund of **sales and use** taxes under Article(s) **28 & 29** of the Tax Law for the **Period 3/1/69-2/29/72**. File No. ~~(s)~~ **00197**.

A **small claims hearing** on the petition was scheduled before **Philip Mercurio, Small Claims Hearing Officer**, at the offices of the State Tax Commission, **Two World Trade Center, 65th Floor, Room 65-51, New York, N. Y.** on **Monday, March 28, 1977** at **9:15 a.m.** Notice of said **small claims hearing** was given to petitioner(s) ~~and petitioner(s) representative~~,

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

ORDERED that the petition of **Bright Waters Drive-In Inc.** be and the same is hereby denied.

DATED: Albany, New York
May 25, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER