

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

AFFIDAVIT OF MAILING

JOSEPH ARCESE, d/b/a A.J.'s STEAK PUB
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 (x) :
6/1/72 - 2/28/75.

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 7th day of March, 1977, ~~he~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Joseph Arcese, d/b/a
A.J.'s Steak Pub ~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Mr. Joseph Arcese
d/b/a A.J.'s Steak Pub
160-05 Cross Bay Boulevard
Howard Beach, New York 11414
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)~~
~~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

7th day of March, 1977.

Bruce Batchelor

James M. [Signature]

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

JOSEPH ARCESE, d/b/a A.J.'s STEAK PUB

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 ~~XXXXXX~~ Period ~~(X)~~ :
6/1/72 - 2/28/75.

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 7th day of March, 1977, ~~he~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Hyman Ketchel
(representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows:
Hyman Ketchel, CPA
853 Broadway
New York, New York 10003
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

7th day of March, 1977.

Bruce Batchelor

Not Public



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

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

STATE TAX COMMISSION

ADDRESS YOUR REPLY TO

March 7, 1977

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

Mr. Joseph Arcese
d/b/a A.J.'s Steak Pub
160-05 Cross Bay Boulevard
Howard Beach, New York 11414

Dear Mr. Arcese:

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

Enc.

Aloysius J. Nendza
Supervisor of Tax Conferences

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
JOSEPH ARCESE, d/b/a A.J.'s STEAK PUB
for Revision or for Refund of Sales & Use Taxes
under Article(s) 28 & 29 of the Tax Law for the
~~Year(s)~~ Period 6/1/72 - 2/28/75

DEFAULT ORDER

Petitioner(s) Joseph Arcese, d/b/a A.J.'s Steak Pub, 160-05 Cross Bay Blvd.,
Howard Beach, N.Y. 11414 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 6/1/72 - 2/28/75 . File No.(s) 10995

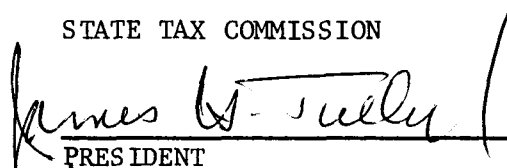
A conference on the petition was scheduled before Morris
Turetzky, Conferee , at the offices of the State
Tax Commission, Queens District Office, 97-77 Queens Blvd., Queens, N.Y. 11374
on October 21, 1976 at 9:00 A.M. . Notice of said conference
was given to petitioner(s) and petitioner(s) representative, Hyman
Ketchel, C.P.A. . Petitioner(s) or petitioner(s) representative did
not appear at the scheduled conference . A default has been duly noted.

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

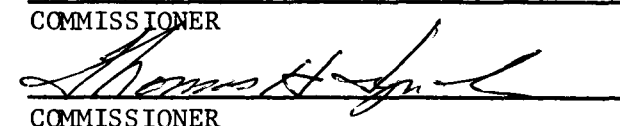
ORDERED that the petition of Joseph Arcese, d/b/a A.J.'s Steak Pub
be and the same is hereby denied.

DATED: Albany, New York
March 7, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER