

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

CHUNG SAN, INC.

and ROSE C. MARINO, Officer

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)
September 1, 1972 through February 28, 1976

AFFIDAVIT OF MAILING

State of New York
County of Albany

John Huhn, 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 24th day of October, 1977, she served the within

Notice of Default Order by ~~certified~~ mail upon Chung San, Inc. and

Rose C. Marino, Officer ~~(representative of)~~ the petitioner in the within proceeding,

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

as follows: Chung San, Inc.

and Rose C. Marino, Officer

26 Walnut Street

Smithtown, New York 11787

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)~~
~~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

24th day of October, 1977.

John Huhn

Janet Mack

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

CHUNG SAN, INC.

and ROSE C. MARINO, Officer

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)
September 1, 1972 through February 28, 1976

AFFIDAVIT OF MAILING

State of New York
County of Albany

John Huhn

, being duly sworn, deposes and says that

~~He~~ She is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 24th day of October , 1977, ~~she~~ she served the within

Notice of Default Order by ~~certified~~ mail upon Cedar, Strauss, Holt,

Serwer & Segal (representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

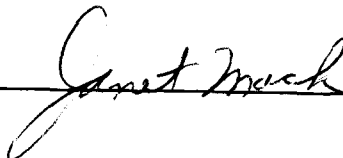
as follows: Cedar, Strauss, Holt, Serwer & Segal
910 Middle Country Road
Selden, New York 11784

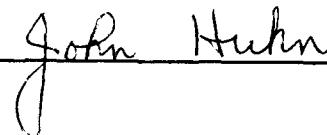
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

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

24th day of October , 1977.







STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227

October 24, 1977

ADDRESS YOUR REPLY TO

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

TELEPHONE: (518) 457-1723

**Chung San, Inc.
and Rose C. Marino, Officer
26 Walnut Street
Smithtown, New York 11787**

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,


**ALOYSIUS J. MENDEZ
SUPERVISOR OF TAX CONFERENCES**

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petitions

of

CHUNG SAN, INC.

DEFAULT ORDER

and ROSE C. MARINO, Officer
for Revision or for Refund of Sales & Use Taxes

under Article(s) 28 & 29 of the Tax Law for the
Year(s) September 1, 1972 through February 28, 1976.

Petitioner(s) Chung San, Inc., 26 Walnut Street, Smithtown, New York 11787
and Rose C. Marino, Officer

filed a petition for revision or for refund of

Sales and Use taxes under Article(s) 28 & 29 of the Tax Law for the
year(s) September 1, 1972 through February 28, 1976 File No.(s) 16987 & 17171

A Pre-hearing Conference on the petition was scheduled before

Eugene C. Welch, Conferee, at the offices of the State

Tax Commission, New York State Dept. of Tax and Finance, Suffolk Branch Office,
Veteran's Memorial Highway, Hauppauge, New York

on August 18, 1977 at 1:15 P.M. and . Notice of said Pre-hearing
2:00 P.M.

Conference was given to petitioner(s) and petitioner(s) representative, Cedar, Strauss,

Holt, Serwer & Segal . Petitioner(s) or petitioner(s) representative did

not appear at the Pre-hearing Conference . A default has been duly noted.

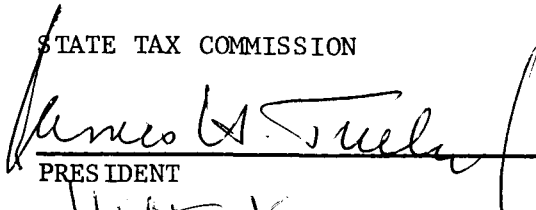
Now on motion of the attorney for the Department of Taxation and Finance,
it is

ORDERED that the petition of Chung San, Inc. and Rose C. Marino, Officer
be and the same is hereby denied.

DATED: Albany, New York

October 24, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER