

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

EASTCHESTER KIRBY 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 ~~XXXX(s)~~ Period ~~(X)~~ :
12/1/71 - 2/28/75.

State of New York
County of Albany

Marsina Donnini , 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 11th day of August , 1977, she served the within
Notice of Default Order by ~~(XXXXXX)~~ mail upon Eastchester Kirby Corp.

~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Eastchester Kirby Corp.
2072 Eastchester Road
Bronx, New York 10461

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

11th day of August , 1977.

Janet Mack

Marsina Donnini



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

ADDRESS YOUR REPLY TO

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

August 11, 1977

TELEPHONE: (518) 457-1723

**Eastchester Kirby Corp.
2072 Eastchester Road
Bronx, New York 10461**

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,

Aloysius J. Nendza

Supervisor of Tax Conferences

Enc.

cc: ~~XXXXXXXXXXXXXXXXXXXX~~
~~Petitioner's Representative:~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
EASTCHESTER KIRBY CORP.
for Revision or for Refund of Sales & Use Taxes
under Article(s) 28 & 29 of the Tax Law for the
Period ~~years~~ 12/1/71 - 2/28/75

DEFAULT ORDER

Petitioner(s) Eastchester Kirby Corp., 2072 Eastchester Road, Bronx,
New York 10461

filed a petition for revision or for refund of

Sales & Use taxes under Article(s) 28 & 29 of the Tax Law for the
~~years~~ 12/1/71 - 2/28/75 . File No. (x) 11195

A pre-hearing conference on the petition was scheduled before

Eugene C. Welch, Conferee , at the offices of the State
Tax Commission, Bronx District Office, 1375 Jerome Ave., Bronx, New York
on January 18, 1977 at 1:30 P.M. . Notice of said pre-hearing
conference was given to petitioner (x) and petitioner(s) representative,

. Petitioner(s) or petitioner(s) representative did
not appear at the pre-hearing conference . A default has been duly noted.

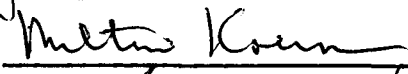
Now on motion of the attorney for the Department of Taxation and Finance,
it is

ORDERED that the petition of Eastchester Kirby Corp.
be and the same is hereby denied.

DATED: Albany, New York
August 11, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

EASTCHESTER KIRBY CORP.

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(s) :
December 1, 1971 - February 28, 1975

State of New York
County of Albany

Marsinna Donnini, 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 22th day of August, 1977, she served the within

Notice of Default Order by ~~(certified)~~ mail upon Eastchester Kirby Corp.

~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Eastchester Kirby Corp.
2072 Eastchester Road
Bronx, New York 10461

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

22 day of August, 1977.

Marsinna L. Donnini

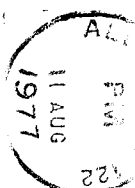
Janet Mack

TA-26 (4.76) 25M

STATE OF NEW YORK
Department of Taxation and Finance
TAX APPEALS BUREAU

STATE CAMPUS

ALBANY, N. Y. 12227



RETURNED FOR POSTAGE

Eastchester Kirby Corp.
2072 Eastchester Road
Bronx, New York 10461

TA-26 (4-76) 25M

STATE OF NEW YORK

Department of Taxation and Finance

TAX APPEALS BUREAU

STATE CAMPUS

ALBANY, N. Y. 12227

Eastchester Kirby Corp.
2072 Eastchester Road
Bronx, New York 10461



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

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT

MILTON KOERNER

THOMAS H. LYNCH

August 11, 1977

TELEPHONE: (518) 457-1723

Eastchester Kirby Corp.
2072 Eastchester Road
Bronx, New York 10461

REMAILED: August 22, 1977

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,

Enc.

Aloysius J. Nendza

Supervisor of Tax Conferences

cc: ~~Taxing Bureau's Representative~~

Taxing Bureau's Representative:

TA-19 (7/77)

