

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

DONUT VARIETIES, INC.

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 ~~Year(s)~~ or Period(s) :
3/1/73 - 2/29/76

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 27 day of April , 19 77, ~~She~~ served the within
Notice of Default Order by (~~certified~~) mail upon Donut Varieties, Inc.

~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Donut Varieties, Inc.
120 Sunrise Highway
Valley Stream, New York 11581
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

27 day of April , 19 77

Bruce Batchelor

Just Mack



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

TAX APPEALS BUREAU

STATE CAMPUS
ALBANY, N.Y. 12227

April 27, 1977

ADDRESS YOUR REPLY TO

TELEPHONE: (518) 457-1723

Donut Varieties, Inc.
120 Sunrise Highway
Valley Stream, New York 11581

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 WENDZA

**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 Petition

of

DONUT VARIETIES, INC.

DEFAULT ORDER

for Revision or for Refund of Sales and Use Taxes

under Article(s) 28 and 29 of the Tax Law for the
~~Year(s)~~ Period 3/1/73 - 2/29/76

Petitioner(s) Donut Varieties, Inc., 120 Sunrise Highway, Valley
Stream NY 11581 filed a petition for revision or for refund of
sales and use taxes under Article(s) 28 & 29 of the Tax Law for the
~~xxxxx~~ year(s) period 3/1/73-2/29/76 . File No.(s) 15552

A pre-hearing conference on the petition was scheduled before
Morris Turetzky, Conferee , at the offices of the State
Tax Commission, 114 Old Country Road, 2nd Floor, Mineola, New York
on January 18, 1977 at 1:00 p.m. . Notice of said pre-hearing
conference was given to petitioner(s) ~~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 Donut Varieties, Inc.
be and the same is hereby denied.

DATED: Albany, New York
April 27, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER