

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

AFFIDAVIT OF MAILING

JOSEPH DE FRANCO d/b/a SERVICE CENTER  
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 ~~XXXX(s) or~~ Period(s) :  
9/1/71 - 11/30/74

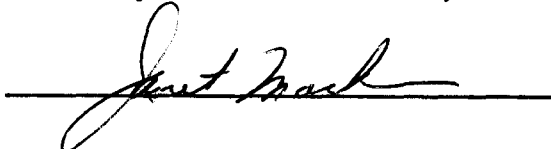
State of New York  
County of Albany

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 11 day of August, 1977, she served the within  
Notice of Default Order by ~~(certified)~~ mail upon Joseph DeFranco  
d/b/a Service Center  
~~(representative of)~~ the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Joseph DeFranco  
d/b/a Service Center  
470 Vanderbilt Avenue  
Staten Island, New York 10304  
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

11 day of August, 1977.

  
Notary Public



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

**Joseph DeFranco**  
**d/b/a Service Center**  
**470 Vanderbuilt Avenue**  
**Staten Island, New York 10304**

**Dear Mr. DeFranco:**

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**  
**Supr. of Tax Conference**

Enc.

cc: ~~Taxing Bureau's Representative~~

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
JOSEPH DE FRANCO d/b/a SERVICE CENTER  
for Revision or for Refund of Sales & Use Taxes  
under Article(s) 28 & 29 of the Tax Law for the  
~~years~~ periods 9/1/71 - 11/30/74

DEFAULT ORDER

Petitioner(s) Joseph DeFranco d/b/a Service Center, 470 Vanderbilt Avenue, Staten Island, New York 10304  
filed a petition for revision or for refund of  
Sales & Use taxes under Article(s) 28 & 29 of the Tax Law for the  
~~years~~ periods 9/1/71 - 11/30/74 . File No.(s) 13019

A pre-hearing conference on the petition was scheduled before  
Charles Norman, Conferee , at the offices of the State  
Tax Commission, Two World Trade Center, New York, NY 10047  
on January 26, 1977 at 10:30 A.M. . Notice of said pre-hearing  
conference was given to petitioner (s) ~~and petitioner(s) representative~~,

. Petitioner(s) ~~and 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 Joseph DeFranco d/b/a Service Center  
be and the same is hereby denied.

DATED: Albany, New York  
August 11, 1977

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER