

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

KAI'S BEST CHINESE GARDEN, 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 ~~XXXXXX~~ Period ~~(x)~~
8/1/65 through 10/31/69.

State of New York
County of Albany

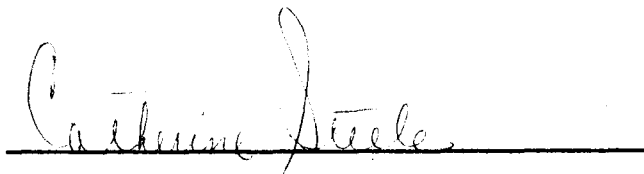
Catherine Steele, being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 10th day of November, 1976, she served the within Notice of Default Order by ~~(certified)~~ mail upon Kai's Best Chinese Garden, Inc. ~~(representative of)~~ the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Kai's Best Chinese Garden, Inc.
c/o Erwin Greenwald, Esq.
369 East 149th Street
Bronx, New York
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

10th day of November, 1976







STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

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

ADDRESS YOUR REPLY TO

November 10, 1976

TELEPHONE: (518) **457-3850**

┌ Kai's Best Chinese Garden, Inc.
c/o Erwin Greenwald, Esq.
369 East 149th Street
Bronx, New York

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,

Frank J. Puccia

Frank J. Puccia
Supervisor of Small
Claims Hearings

Enc.

cc: ~~Proctor, K. J. Puccia, K. J. Puccia, K. J. Puccia~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

Application
In the Matter of the ~~Revision~~
of
KAI'S BEST CHINESE GARDEN, INC.
for Revision or for Refund of Sales and Use Taxes
under Article (g) 28-29 of the Tax Law for the
Year(s) Period 8/1/65 through 10/31/69

DEFAULT ORDER

Applicant,
~~Exemption(s)~~ Kai's Best Chinese Garden, Inc. % Erwin Greenwald, Esq.
 New York
 369 E. 149th Street, Bronx, / filed a ~~petition~~ Application for revision or for refund of
 Sales and Use taxes under Article(s) 28 and 29 of the Tax Law for the
 31, 1969
~~year(s)~~ Period August 1, 1965 through October File No. (s) 13 1958033

A small claims hearing on the petition was scheduled before Philip Mercurio, Small Claims Hearing Officer, at the offices of the State Tax Commission, Two World Trade Center, 65th Floor, Room 6531, New York City on September 20, 1976 at 2:45 P.M. . Notice of said small claims hearing was given to Applicant ~~petitioner(s) xxxxxxxxxx~~, Applicant ~~Petitioner(s) xxxxxxxxxx~~ did not appear at the scheduled hearing . A default has been duly noted.

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

Application
ORDERED that the ~~petition~~ of Kai's Best Chinese Garden, Inc.
be and the same is hereby denied.

DATED: Albany, New York
November 10, 1976

STATE TAX COMMISSION

PRES IDENT

COMMISSIONER

COMMISSIONER