

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
ROCHESTER AVENUE MARKET, INC.

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 and 29 of the
Tax Law for the Year(s) or Period(s)
March 1, 1972 - February 28, 1975.

State of New York
County of Albany

Carmen Mottolese, 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 6th day of October, 1976, she served the within
Notice of Default by ~~XXXXXX~~ mail upon Rochester Avenue
Market, Inc. ~~XXXXXX~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Rochester Avenue Market, Inc.
205 Rochester Avenue
Brooklyn, New York 11213

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~~
~~XXXXXX~~ 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

6th day of October, 1976.

Carmen Mottolese

Just Mack



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

October 6, 1976

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

Rochester Avenue Market, Inc.
205 Rochester Avenue
Brooklyn, New York 11213

Gentlemen:

Please take notice of the **DEFAULT**
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
Aloysius J. Nendza
Acting 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
Rochester Ave. Market, Inc.
for Revision or for Refund of Sales & Use Taxes
under Article(s) 28 & 29 of the Tax Law for the
~~Year(s)~~ Period March 1, 1972 - February 28,
1975

DEFAULT ORDER

Petitioner(s) Rochester Ave. Market, Inc., 205 Rochester Avenue,
Brooklyn, New York 11213 filed a petition for revision or for refund of
sales & use taxes under Article(s) 28 & 29 of the Tax Law for the
~~year(s)~~ period March 1, 1972 - February 28, File No. (s) 10439
1975
A Conference on the petition was scheduled before
Eugene C. Welch, Conferee, at the offices of the State
Tax Commission, 141 Livingston Street, Brooklyn, New York
on July 29, 1976 at 10:30 A.M. . Notice of said Conference
was given to petitioner(s) ~~and petitioner(s) representative,~~ Rochester
Ave. Market, Inc. . Petitioner(s) ~~or petitioner(s) representative,~~ did
not appear at the Conference . A default has been duly noted.

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

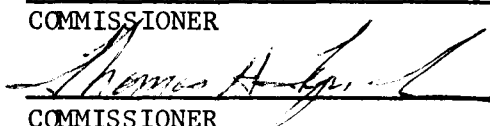
ORDERED that the petition of Rochester Ave. Market, Inc.
be and the same is hereby denied.

DATED: Albany, New York
October 6, 1976

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER