

In the Matter of the Petition

of
JAMES MCMILLAN

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 ~~XXXXXX~~ Period ~~(X)~~ :
1971-1974.

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 James McMillan

~~XXXXXXXXXXXX~~ the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Mr. James McMillan
41 First Avenue
New York, 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~~ ~~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

Janet Mack

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
JAMES MCMILLAN

DEFAULT ORDER

for Redetermination of Deficiency or for Refund of
Sales and Use
Taxes under Article(s) 28 of the Tax Law for the
Period 1971 - 1974.

Petitioner(s) James McMillan, 41 First Avenue, New York, New York

filed a petition for redetermination of deficiency

or for refund of Sales and Use

taxes under Article(x)

28 of the Tax Law for the year(s) 1974

. File No. (x) 11091

A Conference

on the petition was scheduled before

Charles Norman, Conferee

, at the offices of the State

Tax Commission, Two World Trade Center, Room 65-31, 65th Floor, New York, N.Y.

on Monday, July 19, 1976, at 3:00 P.M.

. Notice of said Conference

was given to petitioner(s) ~~and petitioner(s) representative~~

James McMillan

. 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

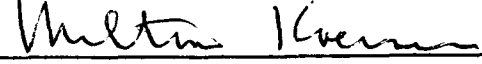
ORDERED that the petition of James McMillan

be and the same is hereby denied.

DATED: Albany, New York
October 6, 1976

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER