

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

354 BEACH 72ND STREET INDUSTRIES, 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 of the
Tax Law for the Year(s) or Period(s)

5/13/73-5/31/74-6/13/75

State of New York
County of Albany

John Huhn

, 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 13th day of December, 1978, she served the within

Default Order

by ~~(certified)~~ mail upon 354 Beach 72nd Street

Industries, Inc. ~~(representative of)~~ the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

as follows: 354 Beach 72nd Street Industries, Inc.

c/o Sirota & Kurta, Esqs.

411 Broadway

New York, NY

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

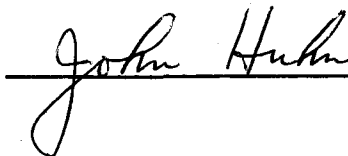
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the ~~(representative of the)~~
~~XXXXXX~~ petitioner herein and that the address set forth on said wrapper is the
last known address of the ~~(representative of the)~~
~~XXXXXXXXXXXXXXXXXXXX~~ petitioner.

Sworn to before me this

13th day of December, 1978





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

354 BEACH 72nd STREET INDUSTRIES, 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 of the
Tax Law for the Year(s) or Period(s)
5/13/73-5/31/74-6/13/75


State of New York
County of Albany


John Huhn, 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 13th day of December, 1978, she served the within
Default Order by ~~(certified)~~ mail upon Marvin Smith
(representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Marvin Smith
2204 Avenue U
Brooklyn, NY
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

13th day of December, 1978







STATE OF NEW YORK
DEPARTMENT OF
TAXATION AND FINANCE
ALBANY, NEW YORK 12227

BERTHLYNN J. DAVIS

SECRETARY TO THE
STATE TAX COMMISSION

December 13, 1978

354 Beach 72nd Street Industries Inc.
c/o Sirota & Kurta, Esqs.
411 Broadway
New York, New York

Please take notice of the Default Order of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to Section(s) 690 of the Tax Law, any proceeding in court to review an adverse decision must be commenced within **four 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,

BERTHLYNN J. DAVIS
SECRETARY TO THE STATE TAX COMMISSION

Enc.

cc: Petitioner's Representative:
Marvin Smith
2204 Avenue U
Brooklyn, NY
Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

354 BEACH 72nd STREET INDUSTRIES, INC.

for Revision or for Refund of Sales & Use

Taxes :

DEFAULT ORDER

under Article(§) 28 of the Tax Law for the

period 5/13/73-5/31/74-6/13/75

Petitioner (s) 354 Beach 72nd Street Industries, Inc., c/o Sirota & Kurta, Esqs.

411 Broadway, New York, NY

filed a petition for revision or

for refund of Sales & Use

taxes under Article(§)28

of the Tax Law for the period 5/13/73-5/31/74-6/13/75 . File No.10597 .

Under Section 601.5 of the State Tax Commission Rules of Practice and Procedure, the ~~taxpayer~~ - taxpayer's representative was served notice to file a perfected petition. The ~~taxpayer~~ - taxpayer's representative failed to file a perfected petition. Notice to file a perfected petition was sent to the ~~taxpayer~~ - taxpayer's representative's last known address.


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

ORDERED that the petition of 354 Beach 72nd Street Industries, Inc. be and the same is hereby denied.

DATED: Albany, New York
December 13, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER