

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

DERRICKS AMERICAN SERVICE STATION

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 (s)
3/1/71 - 2/29/76.

AFFIDAVIT OF MAILING

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 27th day of July, 1978, ~~she~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Derricks American Service
Station (~~representative of~~) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Derricks American Service Station
514 Vanderbilt Avenue
Brooklyn, New York 11238

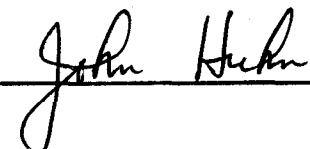
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

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

27th day of July, 1978.







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

July 27, 1978

TELEPHONE: (518) 457-1723

**Derricks American Service Station
514 Vanderbilt Avenue
Brooklyn, New York 11238**

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,

**Aloysius J. Mendza
Assistant Director**

Enc.

cc: ~~XXXXXXXXXXXXXXXXXXXX~~
~~Petitioner's Representative~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

DERRICKS AMERICAN SERVICE STATION

DEFAULT ORDER

for Revision or for Refund of Sales & Use Taxes

under Article(s) 28 & 29 of the Tax Law for the
~~xxxxxx~~ Period 3/1/71 - 2/29/76

Petitioner(s) Derricks American Service Station, 514 Vanderbilt Ave.,
Brooklyn, NY 11238

filed a petition for revision or for refund of

sales & use taxes under Article(s) 28 & 29 of the Tax Law for the

~~xxxxxx~~ Period 3/1/71 - 2/29/76 . File No.(s) 15973

A formal hearing on the petition was scheduled before

Harry Issler, Hearing Officer, at the offices of the State

Tax Commission, Two World Trade Center, 65th Floor, Room 65-51,
New York, New York

on Tuesday, May 16, 1978 at 2:45 P.M. . Notice of said formal

hearing was given to petitioner(s) ~~xxxxxx~~ and petitioner(s) representative,

. Petitioner(s) ~~xxxxxx~~ did

not appear at the formal hearing . 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 Derricks American Service Station
be and the same is hereby denied.

DATED: Albany, New York

July 27, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER