

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

DELMAR FOODRAMA

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 & 29 of the :
Tax Law for the ~~XXXXXX~~ Period(s) :
9/1/71 - 3/31/74.

State of New York
County of Albany

John Huhn , being duly sworn, deposes and says that
~~he~~ is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 31st day of March , 1978, ~~he~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Delmar Foodrama

(~~representative of~~) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Delmar Foodrama
4 North Ferry Street
Albany, 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~~
~~XXXXXX~~) petitioner herein and that the address set forth on said wrapper is the
last known address of the (~~representative of~~) petitioner.

Sworn to before me this

31st day of March , 1978.

Swack

John Huhn



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

March 31, 1978

TELEPHONE: (518) 457-1723

**Delmar Foodrama
4 North Ferry Street
Albany, 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,

**Joseph Chyzywaty
Hearing Examiner**

Enc.

cc: ~~XXXXXXXXXXXXXXXXXXXX~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
DELMAR FOODRAMA
for Revision or for Refund of Sales and Use Taxes
under Article(s) 28 & 29 of the Tax Law for the
~~Year(s)~~ Periods 9/1/71 - 3/31/74.

DEFAULT ORDER

Petitioner(s), Delmar Foodrama, 4 North Ferry Street, Albany,
New York filed a petition for revision or for refund of
sales and use taxes under Article(s) 28 & 29 of the Tax Law for the
~~year(s)~~ periods 9/1/71 - 3/31/74. . File No.(s) 11002

A small claims hearing on the petition was scheduled before
Frank Landers, Hearing Officer, at the offices of the State
Tax Commission, State Campus, Building #9, Albany, New York
on December 20, 1977 at 9:00 A.M. . Notice of said small claims
hearing was given to petitioner ~~(s) and representative(s) representative~~,

. Petitioner ~~(s) and representative(s) representative~~ did
not appear at the small claims 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 DELMAR FOODRAMA
be and the same is hereby denied.

DATED: Albany, New York
March 31, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER