STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Petition

of

ST. LAWRENCE STEEL PAINT & MAINTENANCE CO., 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) 28 1975 :

State of New York County of Albany

John Huhn , being duly sworn, deposes and says that xshe is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 13th day of December , 1978 , whe served the within Default Order by (continue) mail upon St. Lawrence Steel Paint & Maintenance Co., Inc. by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: St. Lawrence Steel Paint & Maintenance Co., Inc. 25 Anthony Street Alexandria Bay, NY 13607

. :

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.

, 19 78

Sworn to before me this

13th day of December

John Huhn

Mullen

TA-3 (2/76)

STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Petition

of

ST. LAWRENCE STEEL PAINT & MAINTENANCE CO.. INC.:

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) 1975. :

State of New York County of Albany

John Huhn , being duly sworn, deposes and says that Xshe is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 13th day of December , 1978, Xshe served the within Default Order by (continued) mail upon Robert Weldon, Esq.

(representative of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Robert Weldon, Esq. 131 Sherman St. Watertown, NY 13601

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.

, 1978.

Sworn to before me this

13th day of December

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other Huhn

TA-3 (2/76)

AFFIDAVIT OF MAILING



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

St. Lawrence Steel Paint & Maintenance Co., Inc. 25 Anthony Street Alexandria Bay, NY 13607

Gentlemen:

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: Robert Weldon, Esq. 131 Sherman St. Watertown, NY 13601 Taxing Bareau's Representative: In the Matter of the Petition

of

ST. LAWRENCE STEEL PAINT & MAINTENANCE CO., INC.

for Revision or for Refund of Sales & Use Taxes : DEFAULT ORDER under Article(x)28 of the Tax Law for the period 1975

:

Petitioner (3). St. Lawrence Steel Paint & Maintenance Co., Inc., 25 Anthony Street, Alexandria Bay, NY 13607 for refund of Sales & Use Tax of the Tax Law for the period 1975 . File No. 11169

Under Section 601.5 of the State Tax Commission Rules of Practice and Procedure, the *Texpayer's* taxpayer's representative was served notice to file a perfected petition. The *Texpayer's* taxpayer's representative failed to file a perfected petition. Notice to file a perfected petition was sent to the texpayer'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 St. Lawrence Steel Paint & Maintenance Co., Inc. be and the same is hereby denied.

DATED: Albany, New York December 13, 1978

STATE TAX COMMISSION

COMMISSIONER