

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

SUPERIOR FOOD RESTAURANT, 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 & 29 of the  
Tax Law for the ~~Year(s)~~ Period(s)  
9/1/73 - 8/31/76

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 27 day of October, 1978, she served the within  
Notice of Default Order by ~~certified~~ mail upon Superior Food  
Restaurant, Inc.  
~~(Representative of the)~~ the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Superior Food Restaurant, Inc.  
1324 Jerome Avenue  
Bronx, 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)~~ petitioner.

Sworn to before me this

27 day of October, 1978.





STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

SUPERIOR FOOD RESTAURANT, 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 & 29 of the :  
Tax Law for the ~~XXXXXX~~ Period(s) :  
9/1/73 - 8/31/76

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 27 day of October , 1978, she served the within  
Notice of Default Order by ~~(XXXXXX)~~ mail upon Ben Taublieb  
(representative of) the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Ben Taublieb  
305 Northern Boulevard  
Great Neck, NY 11021


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

27 day of October , 1978.







STATE OF NEW YORK  
STATE TAX COMMISSION  
TAX APPEALS BUREAU  
ALBANY, NEW YORK 12227  
**October 27, 1978**

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT  
MILTON KOERNER  
THOMAS H. LYNCH

TELEPHONE: (518) 457-1723

**Superior Food Restaurant, Inc.  
1324 Jerome Avenue  
Bronx, NY**

**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,

  
**John F. Koegel**  
**Supervisor of Tax Conferences**

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

SUPERIOR FOOD RESTAURANT, INC.

DEFAULT ORDER

for Revision or for Refund of Sales & Use Taxes

under Article(s) 28 & 29 of the Tax Law for the  
~~XXXXXX~~ Period 9/1/73 - 8/31/76

Petitioner(X) Superior Food Restaurant, Inc., 1324 Jerome Avenue, Bronx,  
New York 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 9/1/73 - 8/31/76 . File No. ~~150~~ 18715

A pre-hearing conference on the petition was scheduled before Robert  
Healey, Conferee, at the offices of the State  
Tax Commission, NYS Dept. of Taxation & Finance, Bronx District Office,  
1375 Jerome Avenue, Bronx, New York  
on May 22, 1978 at 9:00 A.M. . Notice of said pre-hearing

was given to petitioner(s) and petitioner(s) representative, Ben

. Petitioner(s) or petitioner(s) representative did  
not appear at the pre-hearing 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 SUPERIOR FOOD RESTAURANT, INC.  
be and the same is hereby denied.

DATED: Albany, New York  
October 27, 1978

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER

