

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

3-D's DELICATESSEN FOODS, 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) 1974~~ Period ~~(s)~~
6/1/74 - 5/31/77.

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 14th day of February, 1979, she served the within
Notice of Default Order by ~~(certified)~~ mail upon 3-D's Delicatessen Foods, Inc.

~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: 3-D's Delicatessen Foods, Inc.
Rd 3, Maple Ave.
Ballston Lake, New York 12019

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)~~
~~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

14th day of February, 1979

Marilyn J. Papneau

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

February 14, 1979

TELEPHONE: (518) 457-1723

3-D's Delicatessen Foods, Inc.
RD 3, Maple Ave.
Ballston Lake, New York 12019

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 & 1250** 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. Koagel
JOHN F. KOAGEL
SUPERVISOR OF TAX CONFERENCES

Enc.

~~XX~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
3-D's DELICATESSEN FOODS, INC.
for Revision or for Refund of Sales Taxes
under Article(s) 28 and 29 of the Tax Law for the
~~year(s)~~ Period 6/1/74 - 5/31/77.

DEFAULT ORDER

Petitioner(~~x~~), 3-D's Delicatessen Foods, Inc., RD 3, Maple Avenue,
Ballston Lake, NY 12019, filed a petition for revision or for refund of
sales taxes under Article(s) 28 and 29 of the Tax Law for the
~~year(s)~~ period 6/1/74 - 5/31/77 . File No. (~~x~~) 21416

A pre-hearing conference on the petition was scheduled before
Michael A. Mancini, Conferee , at the offices of the State
Tax Appeals Bureau Offices, Building 9,
Tax Commission, State Campus, Albany, New York 12227
on June 29, 1978 at 10:45 A.M. . Notice of said pre-hearing
conference was given to petitioner (~~ss~~) and petitioner (~~ss~~) representative,

. Petitioner (~~x~~) or petitioner (~~ss~~) 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

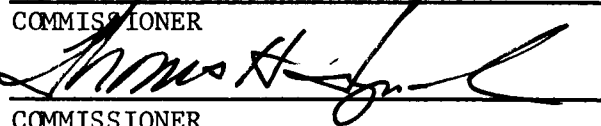
ORDERED that the petition of 3-D's DELICATESSEN FOODS, INC.
be and the same is hereby denied.

DATED: Albany, New York
February 14, 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER