

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of  
JACK RATISHER CIGAR STORE

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :  
a Revision of a Determination or a Refund :  
of Sales & Use Tax :  
Taxes under Article(s) 28&29 of the :  
Tax Law for the ~~XXXXXX~~ Period(s) :  
August 31, 1973-May 31, 1974

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 23rd day of February, 1979, she served the within

Notice of Default Order by ~~(XXXXXX)~~ mail upon Jack Ratisher  
Cigar Store ~~(representative of)~~ the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

as follows: Jack Ratisher Cigar Store  
c/o Jack Ratisher  
2 Rowe Street

Coram, New York 11727  
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 ~~XXXXXX~~  
~~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

23rd day of February, 1979.

Marilyn J. Papineau

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 23, 1979

TELEPHONE: (518) 457-1723

**Jack Ratisher Cigar Store  
c/o Jack Ratisher  
2 Rowe Street  
Coram, New York 11727**

**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 Chyrywaty**  
**Supervisor of Small Claims**

Enc.

cc: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
Taxpayer's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
JACK RATISHER CIGAR STORE  
for Revision or for Refund of Sales and Use Taxes  
under Article(s) 28 and 29 of the Tax Law for the  
~~Year(s)~~ Period(s) August 31, 1973 through  
May 31, 1974.

DEFAULT ORDER

Petitioner(~~s~~) Jack Ratisher Cigar Store, c/o Jack Ratisher, 2 Rowe Street,  
Coram, New York 11727, filed a petition for revision or for refund of  
Sales and Use taxes under Article(s) 28 and 29 of the Tax Law for the  
~~year(s)~~ period(s) Aug. 31, 1973 through May 31, 1974. File No. (~~s~~) 16865

A small claims hearing on the petition was scheduled before  
Arthur Johnson, Hearing Officer, at the offices of the State  
Tax Commission, Two World Trade Center, 65th Flr., Rm. 65-51, New York, New York,  
on Tuesday, October 31, 1978 at 10:45 a.m. Notice of said small claims  
hearing was given to petitioner(~~s~~) and petitioner(~~s~~) representative,

. Petitioner(~~s~~) and petitioner(~~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 Jack Ratisher Cigar Store  
be and the same is hereby denied.

DATED: Albany, New York

February 23, 1979

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER