STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Petition : of Nuncio Anicito : for Redetermination of a Deficiency or a Revision : of a Determination or a Refund of Sales & Use Tax : under Article 28 & 29 of the Tax Law for the Period 3/1/75 - 2/28/78. :

State of New York County of Albany

Jay Vredenburg, 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 17th day of August, 1979, he served the within notice of Default by mail upon Nuncio Anicito, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Nuncio Anicito 111 Thompson St. New York, NY 10012

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 petitioner herein and that the address set forth on said wrapper is the last known address of the petitioner.

Sworn to before me this 17th day of August, 1979.

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AFFIDAVIT OF MAILING



STATE OF NEW YORK STATE TAX COMMISSION TAX APPEALS BUREAU ALBANY, NEW YORK 12227

STATE TAX COMMISSION

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

JOHN J. SOLLECITO DIRECTOR

Telephone: (518) 457-1723

August 17, 1979

Nuncio Anicito 111 Thompson St. New York, NY 10012

Dear Mr. Anicito:

Please take notice of the Default Order of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to Section(s) 1138 of the Tax Law, any proceeding in court to review this decision 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 may be addressed to the Deputy Commissioner and Counsel to the New York State Department of Taxation and Finance, Albany, New York 12227. Said inquiries will be referred to the proper authority for reply.

Very truly yours,

Decloria (1 Mary

cc: Petitioner's Representative

Taxing Bureau's Representative

TA-18:2 (3/76)

STATE OF NEW YORK STATE TAX COMMISSION

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In the Matter of the Petition	
of	:
NUNCIO ANICITO	: DEFAULT_ORDER
for Revision or for Refund of Sales & Use Taxes	:
under Article(s) 28 & 29 of the Tax Law for the XXXXXX Period - 3/1/75 - 2/28/70	:
	<u>.</u>
Petitioner(s) Nuncio Anicito, 111 Thompson St.,	New York, New York 10012
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 - 3/1/75 - 2/28/79	ile No.(s) 23871
A Pre-Hearing Conference on the petition	n was scheduled before
Michael A. Mancini, Conferee	, at the offices of the State
Tax Commission, Tax Appeals Bureau, Two World Trade Center, New York, New York	
on March 1, 1979 at 9:00 A.M.	• Notice of said Pre-Hearing
Conference was given to petitioner(s) and period and pe	
• Petitioner(s) XXX per XXX representative did	
not appear at the Pre-Hearing Conference . A de	efault has been duly noted.
Now on motion of the attorney for the Department of Taxation and Finance,	
it is	
ORDERED that the petition of NUNCIO ANICITO	
be and the same is hereby denied.	
DATED: Albany, New York	toent LIDENT

COMMISSIONER

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