

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of

John Bertorelli :

AFFIDAVIT OF MAILING

for Redetermination of a Deficiency or a Revision :
of a Determination or a Refund of
Sales & Use Tax :
under Article 28 of the Tax Law
for the Year 1976. :

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 7th day of November, 1979, he served the within notice of Default by mail upon John Bertorelli, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

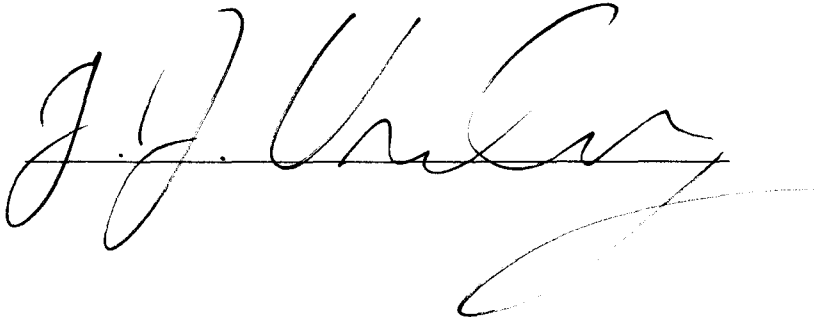
John Bertorelli
71 Revere Dr.
Bohemia, NY 11716

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
7th day of November, 1979.

Joanne Knapp





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

November 7, 1979

John Bertorelli
71 Revere Dr.
Bohemia, NY 11716

Dear Mr. Bertorelli:

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

Please take further notice that pursuant to Section(s) 1139 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,

Victoria Gary

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
John Bertorelli : DEFAULT ORDER
for Revision or for Refund of Sales & Use Tax :
under Article 28 of the :
Tax Law for the Year 1976. :

Petitioner John Bertorelli, 71 Revere Dr., Bohemia, NY 11716 filed a petition for revision or for refund of Sales & Use Tax under Article 28 of the Tax Law for the Year 1976. File No. 16216.

A pre-hearing conference on the petition was scheduled before James A. Fortune, at the offices of the State Tax Commission, 114 Old Country Road, Mineola, New York 11501 on Monday, September 17, 1979 at 4:00 p.m.. Notice of said pre-hearing conference was given to petitioner. Petitioner 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 John Bertorelli be and the same is hereby denied.

DATED: Albany, New York

NOV 07 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER