

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of

Bruno's Grocery :

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 Period 10/74 - 8/31/77. :

State of New York
County of Albany

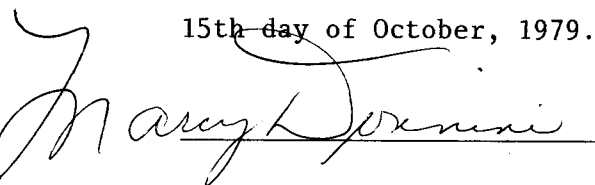
Jay Vredenburg, being duly sworn, deposes and says that he is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 15th day of October, 1979, he served the within notice of by mail upon Bruno's Grocery, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

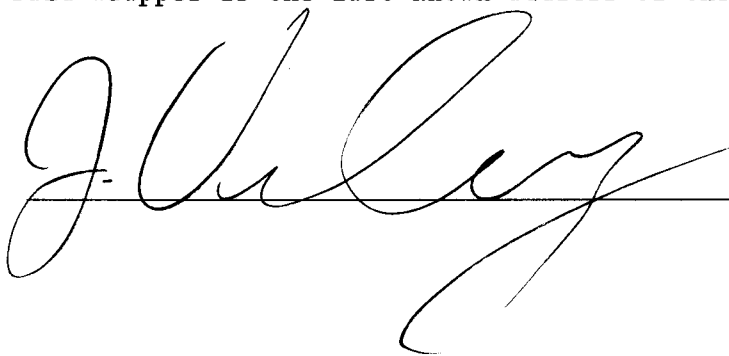
Bruno's Grocery
70 Jefferson St.
Troy, NY 12180

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
15th day of October, 1979.


Mary L. Spennini


Jay Vredenburg

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

PAUL B. COBURN
SECRETARY

Telephone: (518) 457-6162

October 15, 1979

Bruno's Grocery
70 Jefferson St.
Troy, NY 12180

Dear Mr. & Mrs. Bruno:

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 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 undersigned.

Very truly yours,

PAUL B. COBURN
SECRETARY TO THE
STATE TAX COMMISSION

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Bruno's Grocery :
: DEFAULT ORDER
for Revision or for Refund of Sales & Use Tax :
Taxes under Article(s) 28 of the Tax Law :
for the Period 10/74 - 8/31/77. :

Petitioner(s) Bruno's Grocery, 70 Jefferson St., Troy, NY 12180 filed a petition for revision or for refund of Sales & Use Tax taxes under Article(s) 28 of the Tax Law for the Period 10/74 - 8/31/77 File No. 21325.

Under Section 601.5 of the State Tax Commission Rules of Practice and Procedure, a notice was served on the petitioner(s) to file a perfected petition. Notice to file the perfected petition was sent to the petitioner(s) last known address. Petitioner(s) failed to file a perfected petition. A default has been duly noted.

Now on motion of the Secretary to the State Tax Commission, it is


ORDERED that the petition of Bruno's Grocery be and the same is hereby denied.

DATED: Albany, New York

OCT 15 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER