

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of
Carmike Bake Shop, Inc. :

AFFIDAVIT OF MAILING

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 3/1/72-2/28/75. :

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 26th day of October, 1979, he served the within notice of Default by mail upon Carmike Bake Shop, Inc., the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Carmike Bake Shop, Inc.

2331 First Ave.

New York, NY 10035

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
26th day of October, 1979.

Joanne Knapp

J. J. Vredenburg

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

JOHN J. SOLLECITO
DIRECTOR

Telephone: (518) 457-1723

October 26, 1979

Carmike Bake Shop, Inc.
2331 First Ave.
New York, NY 10035

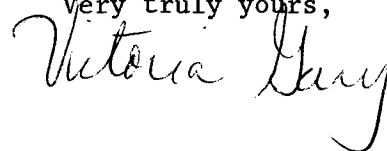
Gentlemen:

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 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,

A handwritten signature in cursive script, appearing to read "Victoria Gray".

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Carmike Bake Shop, Inc. :
: DEFAULT ORDER
for Revision or for Refund of Sales & Use Tax :
Taxes under Article(s) 28 & 29 of the Tax Law :
for the Period 3/1/72-2/28/75. :

Petitioner(s) Carmike Bake Shop, Inc., 2331 First Ave., New York, NY 10035
filed a petition for revision or for refund of Sales & Use Tax taxes under
Article(s) 28 & 29 of the Tax Law for the Period 3/1/72-2/28/75 File No. 11347.

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

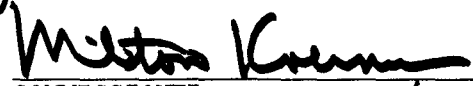
ORDERED that the petition of Carmike Bake Shop, Inc. be and the same is
hereby denied.

DATED: Albany, New York

OCT 26 1979

STATE TAX COMMISSION


PRESIDENT

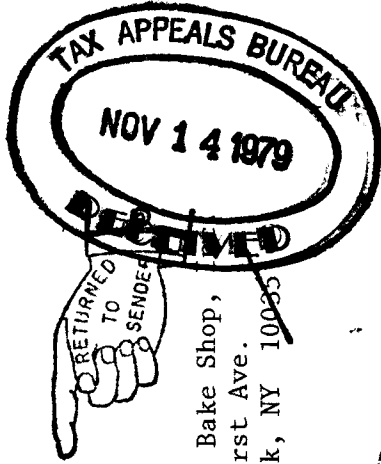

COMMISSIONER


COMMISSIONER

TA-26 (4-76) 25M

STATE OF NEW YORK
Department of Taxation and Finance
TAX APPEALS BUREAU

STATE CAMPUS
ALBANY, N. Y. 12227



Carmike Bake Shop,
2331 First Ave.
New York, NY 10035

MOVED, LEFT NO ADDRESS
NEW YORK, N.Y. 10035



TRIPOLI



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

October 26, 1979

Carmike Bake Shop, Inc.
2331 First Ave.
New York, NY 10035

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Very truly yours,

Victoria A. Gary

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

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of :
Carmike Bake Shop, Inc. :
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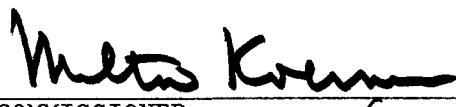
ORDERED that the petition of Carmike Bake Shop, Inc. be and the same is
hereby denied.

DATED: Albany, New York

OCT 26 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER