

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Frank Cooper :
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 Years 1973 - 1976. :

AFFIDAVIT OF MAILING

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 8th day of August, 1979, he served the within Notice of Default by mail upon Frank Cooper, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Frank Cooper
210 E. Broadway
New York, NY 10002

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
8th day of August, 1979.

Victoria Gary

Jay J. Vredenburg

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Frank Cooper :
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 Years 1973 - 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 8th day of August, 1979, he served the within Notice of Default by mail upon Herman C. Weinblatt the representative of the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Mr. Herman C. Weinblatt
225 Broadway
New York, NY 10007

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 representative of the 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
8th day of August, 1979.

Victoria Kery

Jay G. Vredenburg



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 8, 1979

Frank Cooper
210 E. Broadway
New York, NY 10002

Dear Mr. Cooper:

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,

A handwritten signature in cursive script, reading "John J. Sollecito".

cc: Petitioner's Representative
Herman C. Weinblatt
225 Broadway
New York, NY 10007
Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

_____ :

In the Matter of the Petition :

of :

FRANK COOPER :

for Revision or for Refund of Sales & Use Taxes :

under Article(s) 28 of the Tax Law for the :

~~XXXXXX~~ Period - March 1, 1973-February 29, :

~~Year(s)~~ 1976. :

_____ :

DEFAULT ORDER

Petitioner(s) Frank Cooper, 210 E. Broadway, New York, NY 10002

filed a petition for revision or for refund of

Sales & Use taxes under Article(s) 28 of the Tax Law for the

~~XXXXXX~~ Period March 1, 1973-February 29, 1976 . File No.(s) 22191

A pre-hearing conference on the petition was scheduled before

Eugene C. Welch , at the offices of the State

Tax Commission, Tax Appeals Bur. 2 World Trade Center, Room 65-51, New

York, NY 10047

on November 27, 1978 at 10:30 A.M. . Notice of said pre-hearing

conference was given to petitioner(s) and petitioner(s) representative, Herman C.

Weinblatt . Petitioner(s) or petitioner(s) representative 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,

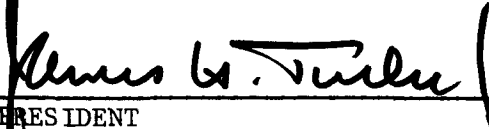
it is

ORDERED that the petition of FRANK COOPER

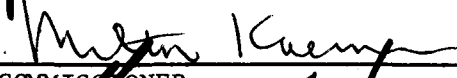
be and the same is hereby denied.

DATED: Albany, New York
August 8, 1979

STATE TAX COMMISSION



PRESIDENT



COMMISSIONER



COMMISSIONER