

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Robert Diaz and Richard Lopez :
d/b/a Alco Auto Parts : 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 6/1/74-11/30/77. :

State of New York
County of Albany

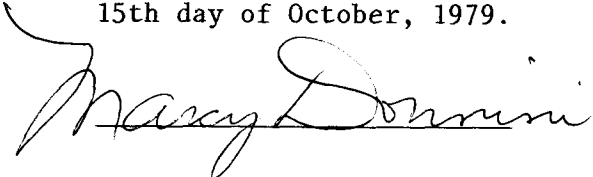
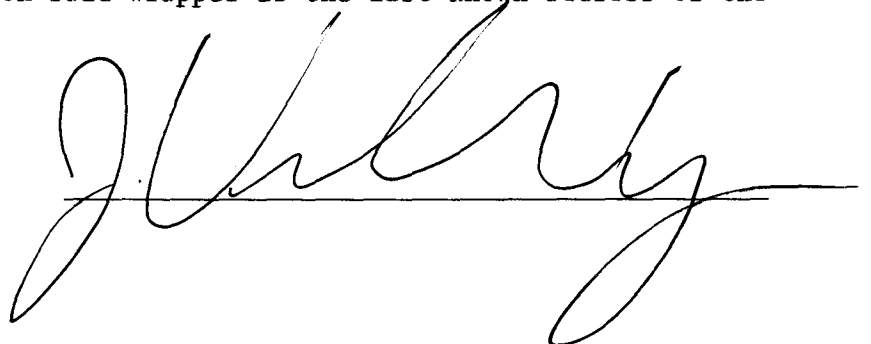
Jay Vredenburg, being duly sworn, deposes and says that he is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 15th day of October, 1979, he served the within notice of Default by mail upon Robert Diaz and Richard Lopez, d/b/a Alco Auto Parts, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Robert Diaz and Richard Lopez
d/b/a Alco Auto Parts
1274 Bronx River Road
Bronx, NY 10472

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.

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

JOHN J. SOLLECITO
DIRECTOR

Telephone: (518) 457-1723

October 15, 1979

Robert Diaz and Richard Lopez
d/b/a Alco Auto Parts
1274 Bronx River Road
Bronx, NY 10472

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,

Victoria Gary

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

ROBERT DIAZ and RICHARD LOPEZ
d/b/a ALCO AUTO PARTS

DEFAULT ORDER

for Revision or for Refund of Sales and Use Taxes

under Article(s) 28 and 29 of the Tax Law for the

~~XXXXXX~~ Period June 1, 1974 - November 30, 1977

Petitioner(s) Robert Diaz and Richard Lopez, d/b/a Alco Auto Parts, 1274 Bronx

River Avenue, Bronx, New York filed a petition for revision or for refund of

sales and use taxes under Article(s) 28 and 29 of the Tax Law for the

~~XXXXXX~~ period June 1, 1974 - November 30, 1977 . File No.(s) 22168

A pre-hearing conference on the petition was scheduled before

Robert A. Healey, Conferee

, at the offices of the State

Tax Commission, Dept. of Taxation & Finance, 1375 Jerome Avenue, Bronx, N.Y.

on June 25, 1979

at 1:15 P.M.

. Notice of said pre-hearing

conference was given to petitioner(s) ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

. Petitioner(s) ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ 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 ROBERT DIAZ and RICHARD LOPEZ
d/b/a Alco Auto Parts

be and the same is hereby denied.


DATED: Albany, New York

OCT 15 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER