STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Petition

of

FRANK J. GULLO, JR.

DEFAULT ORDER

for Revision or for Refund of Sales

Taxes

under Article(s) 28

of the Tax Law for the

Year(s) 1978

Petitioner(s) Frank J. Gullo, Jr., 3096 Ridge Road, Mt. Morris, New York 14510

filed a petition for revision or for refund of

sales taxes under Article(s) 28

of the Tax Law for the

year(s) 1978

24177 . File No.(s)

A pre-hearing conference

on the petition was scheduled before

Frank Fleury, Conferee

, at the offices of the State

Tax Commission, Dept. of Taxation and Finance, Room 1300, 1 Marine Midland Plaza, Rochester, New York

April 26, 1979

2:45 P.M. at

. Notice of said pre-hearing

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

FRANK J. GULLO, JR. ORDERED that the petition of

be and the same is hereby denied.

DATED: Albany, New York

TATE TAX COMMISSION

COMMISSIONER