

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :  
of  
Katos Supermarkets, 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 3/1/74 - 2/28/77. :

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 8th day of August, 1979, he served the within Notice of Default by mail upon V. Apostolatos 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. V. Apostolatos  
30-10 Steinway St.  
Astoria, NY 11103

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 Gary

Jay Vredenburg

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :  
of :  
Katos Supermarkets, 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 3/1/74 - 2/28/77. :

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

Katos Supermarkets, Inc.  
90-09 31st Ave.  
Jackson Heights, NY 11369

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 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

Katos Supermarkets, Inc.  
90-09 31st Ave.  
Jackson Heights, NY 11369

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 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  
V. Apostolatos  
30-10 Steinway St.  
Astoria, NY 11103  
Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

KATOS SUPERMARKETS, INC.

DEFAULT ORDER

for Redetermination of Deficiency or for Refund of  
Sales & Use

Taxes under Article(s) 28 & 29 of the Tax Law for the  
~~Year(s)~~ Period - 3/1/74 - 2/28/77

Petitioner(s) Katos Supermarkets, Inc., 90-09 31st Avenue, Jackson Heights,

New York 11369

filed a petition for redetermination of deficiency

or for refund of Sales & Use

taxes under Article(s)

PERIOD -

28 & 29 of the Tax Law for the ~~Year(s)~~ 3/1/74-2/28/77 . File No.(s) 21250

A Pre-Hearing Conference on the petition was scheduled before

Eugene C. Welch, Conferee

, at the offices of the State

Tax Commission, New York State Dept. of Taxation and Finance, Queens district Office,  
97-77 Queens Blvd., Rego Park, New York

on February 15, 1979 at 9:00 A.M. . Notice of said Pre-Hearing

Conference was given to petitioner(s) and petitioner(s) representative,

V. Apostolatos . 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

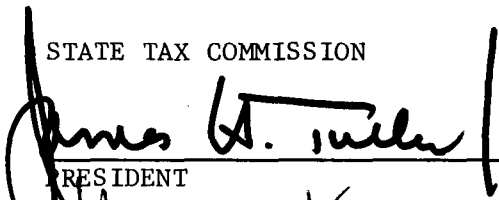
ORDERED that the petition of KATOS SUPERMARKETS, INC.

be and the same is hereby denied.

DATED: Albany, New York

August 8, 1979

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER