

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

MICHAEL'S REST. OF SCOTIA, INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or  
a Revision of a Determination or a Refund  
of Sales and Use  
Taxes under Article(s) 28 & 29 of the  
Tax Law for the ~~Year(s) or~~ Period(s) 1974. :

State of New York  
County of Albany

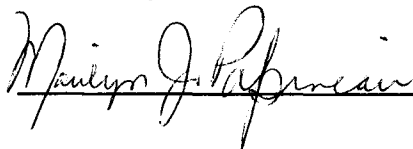
Jay Vredenburg, being duly sworn, deposes and says that  
~~she~~ is an employee of the Department of Taxation and Finance, over 18 years of  
age, and that on the 22nd day of June, 1979, ~~she~~ served the within  
Notice of Default by ~~certified~~ mail upon

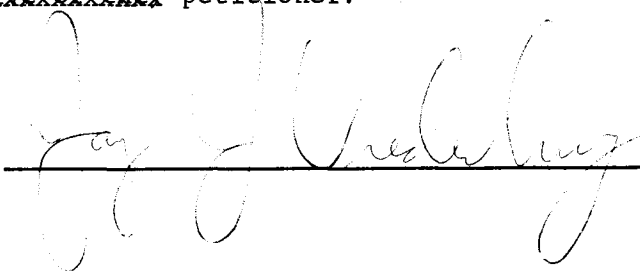
~~(representative of)~~ the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Michael's Rest. Of Scotia, Inc.  
c/o Michael & Judith Macherone  
120 Mohawk Avenue  
Scotia, New York  
and by depositing same enclosed in 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)~~  
~~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

22nd day of June, 1979.

  
Marilyn J. Pincus

  
Jay Vredenburg



STATE OF NEW YORK  
STATE TAX COMMISSION  
TAX APPEALS BUREAU  
ALBANY, NEW YORK 12227

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT

MILTON KOERNER

THOMAS H. LYNCH

TELEPHONE: (518) 457-1723

June 22, 1979

Michael's Rest. Of Scotia, Inc.  
c/o Michael & Judith Macherone  
120 Mohawk Avenue  
Scotia, New York

Dear Mr. & Mrs. Macherone:

Please take notice of the Default Order  
of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to  
Section(s) 1138 & 1250 of the Tax Law, any  
proceeding in court to review an adverse deci-  
sion 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 or concerning any other matter relative  
hereto may be addressed to the undersigned. They  
will be referred to the proper party for reply.

Very truly yours,

Joseph Chyrywaty  
Hearing Examiner

Enc.

~~xxxxxx Petitioner's Representative~~

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
MICHAEL'S REST. OF SCOTIA, INC.  
for Revision or for Refund of Sales and Use Taxes  
under Article(s) 28 and 29 of the Tax Law for the  
~~year(s)~~ Period 1974.

DEFAULT ORDER

Petitioner(s), Michael's Rest. of Scotia, Inc., c/o Michael and Judith  
Macherone, 120 Mohawk Avenue,  
Scotia, 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  
~~year(s)~~ period 1974. . File No. (s) 10610.

A small claims hearing on the petition was scheduled before Arthur  
Johnson, Hearing Officer, at the offices of the State  
Tax Commission, Building #9, Room 107, State Campus, Albany, New York,  
on Wed., February 7, 1979, at 10:45 A.M. . Notice of said small claims  
hearing was given to petitioner(s) ~~and petitioner(s) representative~~,

. Petitioner(s) ~~and petitioner(s) representative~~ did  
not appear at the scheduled hearing . 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 Michael's Rest. of Scotia, Inc.  
be and the same is hereby denied.

DATED: Albany, New York  
June 22, 1979

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

COMMISSIONER



New York State Department of  
**TAXATION and FINANCE**  
TAX APPEALS BUREAU

TO *The Honors* .....

*Please file*

*7/16/79*

M-75 (5/76)

*Joseph Chyornyak*



STATE OF NEW YORK  
STATE TAX COMMISSION  
TAX APPEALS BUREAU  
ALBANY, NEW YORK 12227

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT

MILTON KOERNER

THOMAS H. LYNCH

TELEPHONE: (518) 457-1723

June 22, 1979

**Michael's Rest. Of Scotia, Inc.  
c/o Michael & Judith Macharone  
120 Mohawk Avenue  
Scotia, New York**

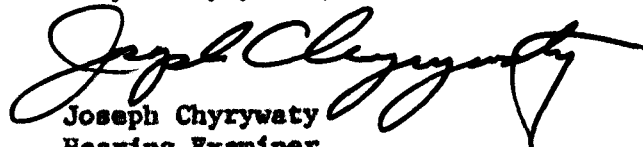
**Dear Mr. & Mrs. Macharone:**

Please take notice of the Default Order  
of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to  
Section(s) **1138 & 1250** of the Tax Law, any  
proceeding in court to review an adverse deci-  
sion 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 or concerning any other matter relative  
hereto may be addressed to the undersigned. They  
will be referred to the proper party for reply.

Very truly yours,

  
**Joseph Chyrywat**  
**Hearing Examiner**

Enc.

~~XX~~

Taxing Bureau's Representative:

TA-19 (7/77)

**TA-26 (4-76) 25M**

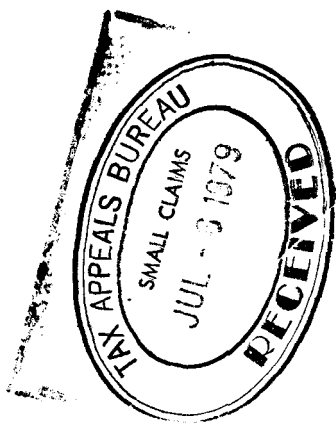
**STATE OF NEW YORK**  
**Department of Taxation and Finance**  
**TAX APPEALS BUREAU**  
**STATE CAMPUS**  
**ALBANY, N. Y. 12227**

MIC 20 MAC 20 080243N1 07/02/79

NOT  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

Michael's Rest. Of Scotia, Inc.  
c/o Michael & Judith Macherone  
120 Mohawk Avenue  
Scotia, New York

Handwritten signature: *John H. ...*



STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

**MICHAEL'S REST. OF SCOTIA, INC.**

DEFAULT ORDER

for Revision or for Refund of **Sales and Use** Taxes

under Article(s) **28 and 29** of the Tax Law for the  
~~year(s)~~ **Period 1974.**

Petitioner(s), **Michael's Rest. of Scotia, Inc., c/o Michael and Judith Macherone, 120 Mohawk Avenue, Scotia, 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 ~~year(s)~~ **period 1974.** . File No. ~~(s)~~ **10610.**

A **small claims hearing** on the petition was scheduled before **Arthur Johnson, Hearing Officer**, at the offices of the State Tax Commission, **Building #9, Room 107, State Campus, Albany, New York,** on **Wed., February 7, 1979,** at **10:45 A.M.** . Notice of said **small claims hearing** was given to petitioner(s) ~~and petitioner(s) representative,~~

. Petitioner(s) ~~or petitioner(s) representative~~ did not appear at the **scheduled hearing** . 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 **Michael's Rest. of Scotia, Inc.** be and the same is hereby denied.

DATED: Albany, New York  
June 22, 1979

STATE TAX COMMISSION

  
PRESIDENT

COMMISSIONER

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