

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :  
of

Damiano Scarlato :

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 Year 1973. :

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 7th day of November, 1979, he served the within notice of Default by mail upon Damiano Scarlato, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Damiano Scarlato  
65 Revere Dr.  
Bohemia, NY 11716

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  
7th day of November, 1979.

Joanne Knapp

J. 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

November 7, 1979

Damiano Scarlato  
65 Revere Dr.  
Bohemia, NY 11716

Dear Mr. Scarlato:

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

Please take further notice that pursuant to Section(s) 1139 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 :  
Damiano Scarlato : DEFAULT ORDER  
:   
for Revision or for Refund of Sales & Use Tax :  
under Article 28 of the :  
Tax Law for the Year 1973. :

Petitioner Damiano Scarlato, 65 Revere Dr., Bohemia, NY 11716 filed a petition for revision or for refund of Sales & Use Tax under Article 28 of the Tax Law for the Year 1973. File No. 15342.

A pre-hearing conference on the petition was scheduled before James A. Fortune, at the offices of the State Tax Commission, 114 Old Country Road, Mineola, New York 11501 on Friday, September 21, 1979 at 9:00 a.m.. Notice of said pre-hearing conference was given to petitioner. Petitioner 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 Damiano Scarlato be and the same is hereby denied.

DATED: Albany, New York

NOV 07 1979

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER