

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

GEORGE W. PRESTON

d/b/a PRESTON'S IGA STORE

For a Redetermination of a Deficiency or
a Revision of a Determination or a Refund
of Sales & Use
Taxes under Article(s) 28 & 29 of the
Tax Law for the ~~Year(s) or~~ Period(s)
September 1, 1973 to August 31, 1976.

AFFIDAVIT OF MAILING

State of New York
County of Albany

John Huhn

, 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 February, 1979, he served the within
George W. Preston

Notice of Default Order by ~~(certified)~~ mail upon d/b/a Preston's IGA Store

~~(representative of)~~ the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

George W. Preston

as follows: d/b/a Preston's IGA Store

Cohocton Street

Naples, New York 14512

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

7th day of February, 1979

Marilyn J. Lapineau

John Huhn



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

February 7, 1979

TELEPHONE: (518) 457-1723

**George W. Preston
d/b/a Preston's IGA Store
Cohocton Street
Naples, New York 14512**

Dear Mr. Preston:

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 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,

**JOHN F. KOAGEL
SUPERVISOR OF TAX CONFERENCES**

Enc.

~~cc: Petitioner's Representative.~~

Taxing Bureau's Representative:

TA-19 (7/77)

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
GEORGE W. PRESTON
d/b/a PRESTON'S IGA STORE
for Revision or for Refund of Sales and Use Taxes
under Article(s) 28 and 29 of the Tax Law for the
~~XXXXXX~~ Period September 1, 1973 to
August 31, 1976.

DEFAULT ORDER

Petitioner ~~(s)~~ George W. Preston, d/b/a Preston's IGA Store, Cohocton
Street, Naples, New York 14512 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
period
~~XXXXXX~~ September 1, 1973 to August 31, 1976. File No. ~~XX~~ 18456

A pre-hearing conference on the petition was scheduled before
Frank Fleury, Conferee, at the offices of the State
Tax Commission, Department of Taxation and Finance, Room 1300,
1 Marine Midland Plaza, Rochester, New York 14604
on July 18, 1978 at 9:00 A.M. Notice of said pre-hearing
conference was given to petitioner ~~(s)~~ and petitioner ~~(s)~~ representative ~~XXXXXX~~

. Petitioner ~~(s)~~ and petitioner ~~(s)~~ representative ~~XXXXXX~~ 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 George W. Preston, d/b/a Preston's IGA Store
be and the same is hereby denied.

DATED: Albany, New York

February 7, 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER