

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :  
of :  
O & W Super Market :  
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 12/1/74-2/28/77. :

AFFIDAVIT OF MAILING

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 17th day of August, 1979, he served the within notice of Default by mail upon O & W Super Market, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

O & W Super Market  
109 E. Main Street  
Norwich, NY 13815

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  
17th day of August, 1979.

Victoria Gray

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 17, 1979

O & W Super Market  
109 E. Main Street  
Norwich, NY 13815

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,

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

O & W SUPER MARKET

DEFAULT ORDER

for Revision or for Refund of Sales & Use Taxes

under Article(s) 28 & 29 of the Tax Law for the

~~XXXXXX~~ PERIOD - 12/1/74-2/28/77

Petitioner(s) O & W Super Market, 109 E. Main St., Norwich, New York

13815

filed a petition for revision or for refund of

Sales & Use

taxes under Article(s) 28 & 29

of the Tax Law for the

~~XXXXXX~~ PERIOD - 12/1/74-2/28/77

. File No.(s) 22255

A Pre-Hearing Conference on the petition was scheduled before

Michael A. Mancini, Conferee

, at the offices of the State

Tax Commission, Binghamton District Office, 44 Hawley St., Binghamton, NY

on January 31, 1979

at 9:00 A.M.

. Notice of said Pre-Hearing

conference was given to petitioner(s) ~~and taxpayer(s) represented by~~

. Petitioner(s) ~~or petitioner(s) represented by~~ 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 O & W SUPER MARKET

be and the same is hereby denied.

DATED: Albany, New York

AUG 17 1979

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

COMMISSIONER