

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
TIMOTHY P. O'BRIEN
d/b/a PETROL SERVICE STATION
For a Redetermination of a Deficiency or
a Revision of a Determination or a Refund
of Sales and Use
Taxes under Article(s) 28 and 29 of the
Tax Law for the ~~XXXXXX~~ Period(s)
December 1, 1970 through February 29, 1972

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 24th day of January, 1979, ~~He~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Timothy P. O'Brien
d/b/a Petrol
Service Station ~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Timothy P. O'Brien
d/b/a Petrol Service Station
O'Briens Service Station
477 Delaware Avenue, Albany, NY 12209
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 ~~(XXXXXXXXXXXXXX)~~
~~XXXXXX~~ petitioner herein and that the address set forth on said wrapper is the
last known address of the ~~(XXXXXXXXXXXXXX)~~ petitioner.

Sworn to before me this

24th day of January, 1979.

Marilyn J. Papineau

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

TELEPHONE: (518) 457-1723

January 24, 1979

**Timothy P. O'Brien
d/b/a Petrol Service Station
O'Briens Service Station
477 Delaware Avenue
Albany, NY 12209**

Dear Mr. O'Brien:

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

Please take further notice that pursuant to
Section(s) **1138 and 1243** of the Tax Law, any
proceeding in court to review an adverse deci-
sion must be commenced within **four 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.

cc: ~~XXXXXXXXXXXXXXXXXXXX~~

Taxing Bureau's Representative:

TA-19 (7/77)

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
TIMOTHY P. O'BRIEN
d/b/a PETROL SERVICE STATION
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 12/1/70 - 2/29/72

DEFAULT ORDER

~~Petitioner(s)~~ Timothy P. O'Brien, d/b/a Petrol Service Station, O'Brien's Service Station, 477 Delaware Ave. Albany, 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 12/1/70 - 2/29/72 . File No. ~~(s)~~ 01504

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 Wednesday, August 16, 1978 at 9:15 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 small claims 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 Timothy P. O'Brien, d/b/a Petrol Service Station. be and the same is hereby denied.

DATED: Albany, New York
January 24, 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER



New York State Department of
TAXATION and FINANCE
TAX APPEALS BUREAU

to Miss. Davis,.....

Please file.

2/2/79

Joseph Chyrywaty

M-75 (5/76)

REQUEST FOR BETTER ADDRESS

Requested by <i>Mary Goff</i>	Unit <i>Tax Appeals Bureau Room 107, Bldg. 9</i>	Date of Request <i>1/29/79</i>
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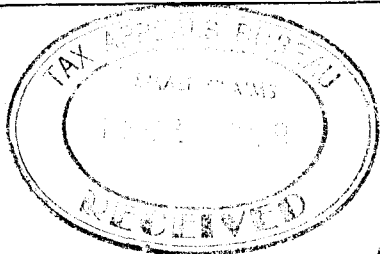
Please find most recent address of taxpayer described below; return to person named above.

Social Security Number <i>NY 7233267</i>	Date of Petition <i>NONE</i>
Name <i>TIMOTHY P. O'BRIEN</i>	
<i>416/a PETROL SERVICE STATION</i>	
Address <i>O'BRIENS SERVICE STATION</i> <i>477 DELAWARE AVENUE</i> } <i>same add.</i> <i>ALBANY, N.Y. 12209</i> } <i>under O'Brien</i>	

Results of search by Files

<input type="checkbox"/> New address:	<i>Petrol Service Station</i> <i>1358 New Scotland Ave</i> <i>Slingerlands, N.Y. 12159</i>
<input type="checkbox"/> Same as above, no better address	
<input type="checkbox"/> Other:	

Searched by <i>H-V</i>	Section	Date of Search <i>2/1/79</i>
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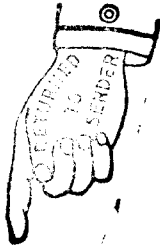
PERMANENT RECORD

FOR INSERTION IN TAXPAYER'S FOLDER

SMALL CLAIMS

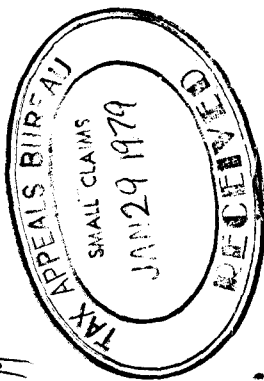
TA-26 (4-76) 25M

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



Timothy P. O'Brien
d/b/a Petrol Service Station
O'Briens Service Station
477 Delaware Avenue
Albany, NY 12209

UNDELIVERABLE AS ADDRESSED
RETURN TO SENDER



1/29/79



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

January 24, 1979

Timothy P. O'Brien
d/b/a Petrol Service Station
O'Briens Service Station
477 Delaware Avenue
Albany, NY 12209

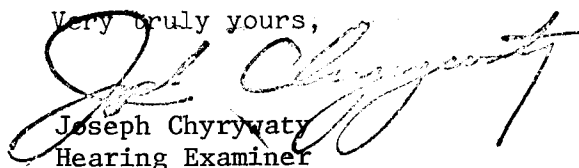
Dear Mr. O'Brien:

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

Please take further notice that pursuant to
Section(s) 1138 and 1243 of the Tax Law, any
proceeding in court to review an adverse deci-
sion must be commenced within four 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.

cc: ~~xxPetitionerxxRepresentativexx~~

Taxing Bureau's Representative:

TA-19 (7/77)

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
TIMOTHY P. O'BRIEN
d/b/a PETROL SERVICE STATION
for Revision or for Refund of Sales and Use Taxes
under Article(s) 28 and 29 of the Tax Law for the
~~xxxxxx~~ Period 12/1/70 - 2/29/72

DEFAULT ORDER

Petitioner~~xxx~~ Timothy P. O'Brien, d/b/a Petrol Service Station, O'Brien's Service Station, 477 Delaware Ave. Albany, 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 ~~xxxxxx~~ Period 12/1/70 - 2/29/72 . File No. ~~xx~~ 01504

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. Petitioner ~~(x) xxxxxxxxxxxxxxxxx~~ did not appear at the small claims hearing . A default has been duly noted.

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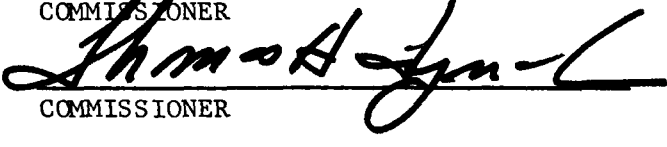
ORDERED that the petition of Timothy P. O'Brien, d/b/a Petrol Service Station. be and the same is hereby denied.

DATED: Albany, New York
January 24, 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER