

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Ebenizer Nundo :
d/b/a All Boro Fire Extinguisher Co. : 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 Period 6/1/74-5/31/77. :

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 8th day of August, 1979, he served the within Notice of Default by mail upon Ebenizer Nundo, d/b/a All Boro Fire Extinguisher Co., the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Ebenizer Nundo
d/b/a All Boro Fire Extinguisher Co.
7 East 32nd St.
Brooklyn, NY 11226

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
8th day of August, 1979.

Victoria A. Gary

Jay 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

August 8, 1979

Ebenizer Nundo
d/b/a All Boro Fire Extinguisher Co.
7 East 32nd St.
Brooklyn, NY 11226

Dear Mr. Nundo:

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,

A handwritten signature in cursive script, appearing to read "John J. Sollecito".

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
EBENIZER NUNDO
d/b/a ALL BORO FIRE EXTINGUISHER CO.
for Revision or for Refund of Sales & Use Taxes
under Article(s) 28 and 29 of the Tax Law for the
~~year(s)~~ Period June 1, 1974 - May 31, 1977.

DEFAULT ORDER

Petitioner(s) Mr. Ebenizer Nunda, d/b/a All Boro Fire Extinguisher Co., 7 E. 32nd Street, Brooklyn, New York 11226, filed a petition for revision or for refund of Sales & Use taxes under Article(s) 28 and 29 of the Tax Law for the ~~year(s)~~ period June 1, 1974 - May 31, 1977 . File No.(s) 21227.

A small claims hearing on the petition was scheduled before Arthur Johnson, Hearing Officer , at the offices of the State Tax Commission, Two World Trade Center, 65th Floor, Room 65-51, New York, New York, on March 20, 1979 at 2:45 P.M. . Notice of said small claims hearing was given to petitioner(s) and petitioner's representative, Sidney I. Bruckman, CPA . 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 EBENIZER NUNDO, d/b/a ALL BORO FIRE EXTINGUISHER, CO.
be and the same is hereby denied.

DATED: Albany, New York
August 8, 1979

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER