John J. Sollecito, Director (518) 457-1723

June 29, 1984

Frank Perticone Officer of Perticone Electic Corp., Inc. 308 Bay Village Drive Rochester, NY 14609

Dear Mr. Perticone:

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 undersigned at the above address.

Joseph Chyrywat

Supervisor of Tax Conferences

cc: Petitioner's Representative Samuel J. Ianacone, Jr. Two State Street Rochester, NY 14614

Taxing Bureau's Representative

STATE TAX COMMISSION

In the Matter of the Petition

of

Frank Perticone

DEFAULT ORDER

Officer of Perticone Electic Corp., Inc.

84-C-20

:

for Redetermination of a Deficiency or Revision

of a Determination or Refund of

Sales & Use Tax under Article 28 & 29

of the Tax Law for the Period 12/1/78-8/31/82.

Petitioner(s) Frank Perticone Officer of Perticone Electic Corp., Inc. filed a petition for redetermination of a deficiency or revision of a determination or refund of Sales & Use Tax under Article 28 & 29 of the Tax Law for the Period 12/1/78-8/31/82. File No. 45167.

A pre-hearing conference on the petition was scheduled before Bruce M. Rauch, at the offices of the State Tax Commission, 1 Marine Midland Plaza, Room 1300, Rochester, New York 14604 on Tuesday, May 22, 1984 at 9:00 a.m. Notice of said pre-hearing conference was given to petitioner(s) and the representative of petitioner(s). Petitioner(s) did not appear at the pre-hearing conference. A default has been duly noted.

Now on motion of the State Tax Commission, it is

ORDERED that the petition of Frank Perticone Officer of Perticone Electic Corp., Inc. be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
JUNE 29, 1984

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