



New York State Tax Commission

**TAX APPEALS BUREAU**

W.A. Harriman Campus  
Albany, New York 12227

May 11, 1987

Joseph A. & Andrew J. Darone  
d/b/a Darone's Restaurant  
643 Fargo Ave.  
Buffalo, NY 14213

Re: File No. 60339

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, Building 9, State Campus, Albany, New York 12227. Said inquiries will be referred to the proper authority for reply.

Very truly yours,

*Daniel J. Ranalli*  
DANIEL J. RANALLI  
SUPERVISING TAX HEARING OFFICER

cc: Taxing Bureau's Representative

Petitioner's Representative:  
Dennis A. Fiorella  
4845 Transit Rd., B-11  
Depew, NY 14043

STATE OF NEW YORK

STATE TAX COMMISSION

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In the Matter of the Petition :  
of :  
Joseph A. & Andrew J. Darone : DEFAULT ORDER  
d/b/a Darone's Restaurant : 87-H-14  
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 6/1/81-5/31/82. :

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Petitioner(s) Joseph A. & Andrew J. Darone, d/b/a Darone's Restaurant 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 6/1/81-5/31/82. File No. 60339.

A hearing on the petition was scheduled before Timothy J. Alston, at the offices of the State Tax Commission, State Office Bldg., 65 Court Street, Buffalo, New York 14202 on Tuesday, March 10, 1987 at 10:45 a.m. Notice of said hearing was given to petitioner(s) and the representative of petitioner(s). Petitioner(s) did not appear at the 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 Joseph A. & Andrew J. Darone, d/b/a Darone's Restaurant be and the same is hereby denied.

DEFAULT ORDER  
ADOPTED BY THE STATE TAX COMMISSION  
ALBANY, NEW YORK  
MAY 11, 1987