



New York State Tax Commission
TAX APPEALS BUREAU
W.A. Harriman Campus
Albany, New York 12227

May 11, 1987

Palmyra Diner
606 E. Main St.
Rochester, NY 14522

Re: File No. 55875

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
SUPERVISING TAX HEARING OFFICER

cc: Taxing Bureau's Representative

Petitioner's Representative:
Carl A. Nanni
273 Lake Ave.
Rochester, NY 14608

STATE OF NEW YORK

STATE TAX COMMISSION

In the Matter of the Petition :
of :
Palmyra Diner : DEFAULT ORDER
: 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 12/1/83-5/31/84. :

Petitioner(s) Palmyra Diner 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 12/1/83-5/31/84. File No. 55875.

A hearing on the petition was scheduled before Dennis Galliher, at the offices of the State Tax Commission, 259 Monroe Avenue - 3rd Floor Rochester, New York 14604 on Tuesday, March 10, 1987 at 9:15 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 Palmyra Diner be and the same is hereby denied.

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