Volpe, Philip H. U.B.T.-leit, 23

STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Petition	_
of	:
PHILIP G. VOLPE	:
For a Redetermination of a Deficiency or a Refund of Unincorporated Business Taxes under Article(s) 23 of the	:

Tax Law for the (Year(s) 1963.

AFFIDAVIT OF MAILING OF NOTICE OF DECISION BY (CERTIFIED) MAIL

State of New York County of Albany

Linda Wilson , being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 30th day of August , 19 ⁷¹, she served the within Notice of Decision (or Determination) by (certified) mail upon PHILIP G. VOLPE (representative of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Philip G. Volpe 1401 Ocean Avenue Brooklyn, New York

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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 Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative of) petitioner herein and that the address set forth on said wrapper is the last known address of the (representative of the) petitioner.

Sworn to before me this

30th day of August , 1971. Linda Wilson

In the Matter of the Petition

of

PHILIP G. VOLPE

For a Redetermination of a Deficiency or a Refund of Unincorporated Business: Taxes under Article(s) 23 of the Tax Law for the (Year(s) 1963. : AFFIDAVIT OF MAILING OF NOTICE OF DECISION BY (CERTIFIED) MAIL

State of New York County of Albany

Linda Wilson , being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 30th day of August , 19⁷¹ , she served the within Notice of Decision (or Determination) by (certified) mail upon MAX W. GOLDBERG (representative of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Max W. Goldberg 1020 Grand Concourse New York, New York 10451

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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 Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative of) petitioner herein and that the address set forth on said wrapper is the last known address of the (representative of the) petitioner.

Sworn to before me this

f August, 1971, Linda Wilson 30thday of

STATE OF NEW YORK

STATE TAX COMMISSION

In the Matter of the Petition

of

PHILIP G. VOLPE

DEFAULT ORDER

:

:

for Redetermination of Deficiency or for Refund of Unincorporated Business Taxes under Article(s) 23 of the Tax Law for the Year(s) 1963.

Petitioner(s) Philip G. Volpe filed a petition for redetermination of deficiency or for refund of unincorporated business taxes under Article(s) 23 of the Tax Law for the year(s) 1963. File No.(s) 3-7186111

A calendar call on the petition was scheduled before Honorable Milton Koerner, State Tax Commission, at the offices of the State Tax Commission, 80 Centre Street, New York, New York, at 4:00 P. M. . Notice of said calendar call on June 22, 1971 was given to petitioner(s) and petitioner(s) representative . Petitioner(s) or petitioner(s) Max W. Goldberg representative did not appear at the calendar call. 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 Philip G. Volpe

be and the same is hereby denied.

DATED: Albany, New York august 30, 1971.

STATE TAX COMMISSION

COMMISSIONER

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COMMISSIONER