

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :

of

Donald & Judith Alpert :

AFFIDAVIT OF MAILING

for Redetermination of a Deficiency or a Revision :

of a Determination or a Refund of

Unincorporated Business Tax :

under Article 23 of the Tax Law

for the years 1973 & 1974. :

State of New York

County of Albany

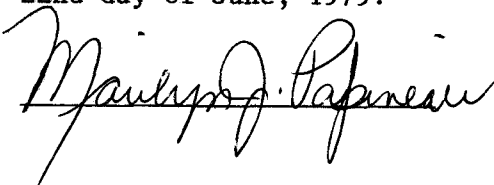
Jay Vredenburg, being duly sworn, deposes and says that he is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 22nd day of June, 1979, he served the within Notice of Default Order by certified mail upon Donald & Judith Alpert, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

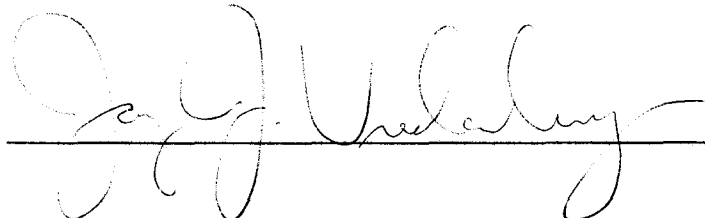
Donald & Judith Alpert
3655 Shore Parkway
Brooklyn, NY 11235

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
22nd day of June, 1979.


Notary Public


Jay 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

June 22, 1979

Donald & Judith Alpert
3655 Shore Parkway
Brooklyn, NY 11235

Dear Mr. & Mrs. Alpert:

Please take notice of the Default Order of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to Section(s) 722 of the Tax Law, any proceeding in court to review an adverse 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 or concerning any other matter relative hereto may be addressed to the undersigned. They will be referred to the proper party for reply.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John J. Sollecito", written over the typed name.

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

DONALD and JUDITH ALPERT

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) 1973, 1974

Petitioner(s) Donald and Judith Alpert, 3655 Shore Parkway,

Brooklyn, New York 11235 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) 1973, 1974 . File No.(s) 21784

A pre-hearing conference on the petition was scheduled before

Allen Caplowaith, Conferee

, at the offices of the State

Tax Commission, Brooklyn District Office, 141 Livingston Street, Brooklyn,
New York - 8th Fl.

on January 5, 1979 at 9:00 A.M. . Notice of said pre-hearing'

conference was given to petitioner(s) ~~and their authorized representative~~

. Petitioner(s) ~~and their authorized representative~~ did

not appear at the pre-hearing conference 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 DONALD and JUDITH ALPERT

be and the same is hereby denied.

STATE TAX COMMISSION

DATED: Albany, New York

June 22, 1979

PRESIDENT

COMMISSIONER

COMMISSIONER