

JAMES H. TULLY JR., PRESIDENT  
THOMAS H. LYNCH  
FRANCIS R. KOENIG

JOHN J. SOLLECITO  
DIRECTOR

Telephone: (518) 457-1723

February 27, 1980

Herman P. Weaver  
403 A. Pine Ridge Dr.  
Whispering Pines, NC 28389

Dear Mr. Weaver:

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

Please take further notice that pursuant to Section(s) 722 & 690 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, Albany, New York 12227. Said inquiries will be referred to the proper authority for reply.

Very truly yours,

*Victoria A. Gary*

cc: Petitioner's Representative  
Nancy Van Ness  
De Filippo Brothers  
408 E. Church St.  
Elmira, NY 14901  
Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

---

In the Matter of the Petition	:	
of	:	
Herman P. Weaver	:	<u>DEFAULT ORDER</u>
	:	80-S-7
for Redetermination of Deficiency or for Refund of	:	
Unincorporated Business Tax under Article 23	:	
<u>of the Tax Law for the Year 1969.</u>	:	

Petitioner(s) Herman P. Weaver filed a petition for redetermination of deficiency or for refund of Unincorporated Business Tax under Article 23 of the Tax Law for the Year 1969. File No. 11711.

A Small claims hearing on the petition was scheduled before Carl Wright, at the offices of the State Tax Commission, State Campus, Bldg. 9, Rm. 107, Albany, New York 12227 on Friday, January 18, 1980 at 2:45 p.m. Notice of said Small claims hearing was given to petitioner(s) and petitioner's representative. Petitioner(s) did not appear at the Small claims 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 Herman P. Weaver be and the same is hereby denied.

DEFAULT ORDER  
ADOPTED BY THE STATE TAX COMMISSION  
ALBANY, NEW YORK  
FEBRUARY 27, 1980