

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

AFFIDAVIT OF MAILING

LEON H., JR. and DOROTHY M. FRANK
For a Redetermination of a Deficiency or
a Revision of a Determination or a Refund
of Personal Income
Taxes under Article ~~(x)~~ 22 of the
Tax Law for the Year(s) ~~or Period(s)~~
1967 and 1968.

State of New York
County of Albany

Bruce Batchelor, 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 22nd day of December, 1976, ~~she~~ served the within
Notice of Default Order by (certified) mail upon Leon H. Jr., and
Dorothy M. Frank ~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Mr. & Mrs. Leon H. Frank, Jr.
145 Brooks Avenue
Vestal, New York 13850

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 ~~(representative of)~~
~~the~~ 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

22nd day of December, 1976.

Bruce Batchelor

Janet Frank



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

TAX APPEALS BUREAU
STATE CAMPUS
ALBANY, N.Y. 12227

ADDRESS YOUR REPLY TO

December 22, 1976

TELEPHONE: (518) **457-3850**

Mr. & Mrs. Leon H. Frank, Jr.
145 Brooks Avenue
Vestal, New York 13850

Dear Mr. & Mrs. Frank:

Please take notice of the **DEFAULT ORDER**
of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to
Section(**X**) **690** of the Tax Law, any
proceeding in court to review an adverse deci-
sion 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,

Frank J. Puccia
Supervisor of Small
Claims Hearings

Enc.

cc: ~~XXXXXXXXXXXXXXXXXXXX~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

LEON H., JR. and DOROTHY M. FRANK

DEFAULT ORDER

for Redetermination of Deficiency or for Refund of
Personal Income
Taxes under Article(s) 22 of the Tax Law for the
Year(s) 1967 and 1968.

Petitioner(s), Leon H., Jr. and Dorothy M. Frank, 145 Brooks Avenue,
Vestal, New York 13850, filed a petition for redetermination of deficiency
or for refund of personal income taxes under Article(s)
22 of the Tax Law for the year(s) 1967 and 1968 . File No. (s) 01533.

A small claims hearing on the petition was scheduled before
Harry Huebsch, Small Claims Hearing Officer , at the offices of the State
Tax Commission, Governmental Civic Center, 44 Hawley Street, Binghamton, NY,
on Monday, October 18, 1976 at 1:15 P.M. . Notice of said small claims
hearing was given to petitioner(s) ~~and petitioner(s) representative~~,

. Petitioner(s) ~~and petitioner(s) representative~~ 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 Leon H., Jr. and Dorothy M. Frank
be and the same is hereby denied.

DATED: Albany, New York
December 22, 1976

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER