

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

HOWARD R. & CAROL A. FITZPATRICK

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :  
a Revision of a Determination or a Refund :  
of Personal Income :  
Taxes under Article (3) 22 of the :  
Tax Law for the Year (1971) 1971 :

State of New York  
County of Albany

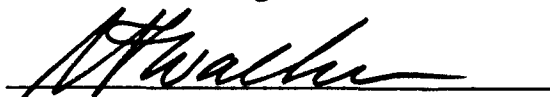
John Huhn , being duly sworn, deposes and says that  
she is an employee of the Department of Taxation and Finance, over 18 years of  
age, and that on the 11th day of August , 1978 , she served the within  
Default Order by (certified) mail upon Howard R. & Carol  
A. Fitzpatrick (representative of) the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Howard R. & Carol A. Fitzpatrick  
139 East 94th Street  
New York, New York 10028

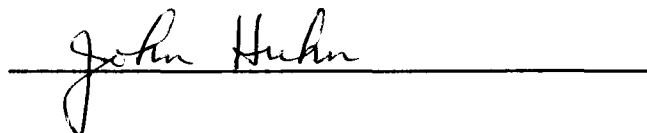
and by depositing same enclosed in a postpaid properly addressed wrapper in a  
(post office or official depository) under the exclusive care and custody of  
the United States Postal Service within the State of New York.

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

11th day of August , 1978.







STATE OF NEW YORK  
DEPARTMENT OF  
TAXATION AND FINANCE  
ALBANY, NEW YORK 12227

BERTHLYNN J. DAVIS  
SECRETARY TO THE  
STATE TAX COMMISSION

August 11, 1978

Howard R. & Carol A. Fitzpatrick  
139 East 94th Street  
New York, New York 10028

Dear Mr. & Mrs. Fitzpatrick:

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

Please take further notice that pursuant to Section(s) 690 of the Tax Law, any proceeding in court to review an adverse decision must be commenced within four 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 cursive script, appearing to read "Berthlynn J. Davis".

BERTHLYNN J. DAVIS  
SECRETARY TO THE STATE TAX COMMISSION

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

HOWARD R. & CAROL A. FITZPATRICK

DEFAULT ORDER

for Redetermination of Deficiency or for Refund of  
Personal Income Taxes under Article (s) 22 of the  
Tax Law for the year 1971

Petitioner(s) Howard R. & Carol A. Fitzpatrick, 139 East 94th Street,  
New York, New York 10028 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 1971 . File No. 17365 .

Under Section 601.5 of the State Tax Commission Rules of Practice and  
Procedure, the taxpayer ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ taxpayer's representative was served notice to file a  
perfected petition. The taxpayer ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ taxpayer's representative failed to file a  
perfected petition. Notice to file a perfected petition was sent to the taxpayer-  
~~taxpayer's representative's~~ last known address.

Now on motion of the attorney for the Department of Taxation and Finance,  
it is

ORDERED that the petition of Howard R. & Carol A. Fitzpatrick  
be and the same is hereby denied.

DATED: Albany, New York  
August 11, 1978

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER