

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

FRANK & STEPHIE ZMITROWITZ

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Personal Income & UBT :
Taxes under Article(s) 22 & 23 of the :
Tax Law for the Year(s) ~~concerned~~ :
1970, 1971, & 1972

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 Frank & Stephie

Zmitrowitz ~~XXXXXXXXXXXX~~ the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

as follows: Frank & Stephie Zmitrowitz
42 Starr Avenue
Binghamton, New York 13905

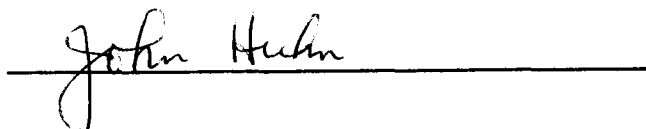
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the ~~XXXXXXXXXXXX~~
~~XXXXXX~~ petitioner herein and that the address set forth on said wrapper is the
last known address of the ~~XXXXXXXXXXXX~~ petitioner.

Sworn to before me this

11th day of August, 1978.





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
FRANK & STEPHIE ZMITROWITZ

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Personal Income & UBT :
Taxes under Article(s) 22 & 23 of the :
Tax Law for the Year(s) ~~1970, 1971, & 1972.~~ :
1970, 1971, & 1972.

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 Joseph A. D'Esti, Esq.

(representative of) the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

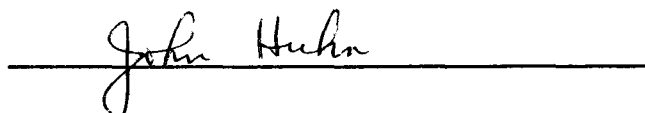
as follows: Joseph A. D'Esti, Esq.
96 Hawley Street
Binghamton, New York 13901

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

Frank & Stephie Zmitrowitz
42 Starr Avenue
Binghamton, New York 13905

Dear Mr. & Mrs. Zmitrowitz:

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,

BERTHLYNN J. DAVIS
SECRETARY TO THE STATE TAX COMMISSION

Enc.

cc: Petitioner's Representative:
Joseph A. D'Esti, Esq.
96 Hawley Street
Binghamton, New York 13901
Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

FRANK & STEPHIE ZMITROWITZ

DEFAULT ORDER

for Redetermination of Deficiency or for Refund of :

Personal Income Taxes under Article(s) 22 & 23 of the :
& UBT

Tax Law for the years 1970, 1971, & 1972. :

Petitioner(s) Frank & Stephie Zmitrowitz, 42 Starr Avenue,
Binghamton, New York 13905 filed a petition for redetermination of
deficiency or for refund of Personal Income & Unincorporated taxes under
Business
Article(s) 22 & 23 of the Tax Law for the year 1970, 1971 & 1972 File No. 13489 & 13488

Under Section 601.5 of the State Tax Commission Rules of Practice and
Procedure, the ~~taxpayer~~ - taxpayer's representative was served notice to file a
perfected petition. The ~~taxpayer~~ - 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 Frank & Stephie Zmitrowitz
be and the same is hereby denied.

DATED: Albany, New York
August 11, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER