

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

WILLIAM F. BRAINARD

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Personal Income :
Taxes under Article(s) 22 of the :
Tax Law for the Year(s) or Period(s) :
1970. ~~XXXXXXXXXXXX~~

State of New York
County of Albany

John Huhn, 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 6th day of April, 1979, he served the within
Notice of Default Order by (certified) mail upon William F. Brainard

~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows:
William F. Brainard
Rt. 2, Box 312A
Wilmington, NC 28401

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)~~
~~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

6th day of April, 1979

Marilyn J. Papineau

John Huhn



STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT

MILTON KOERNER

THOMAS H. LYNCH

TELEPHONE: (518) 457-1723

April 6, 1979

William F. Brainard
Rt. 2, Box 312A
Wilmington, NC 28401

Dear Mr. Brainard:

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 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,

Joseph Chyzywaty
Joseph Chyzywaty
Hearing Examiner

Enc.

cc: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
Postmaster: No Representation

Taxing Bureau's Representative:

TA-19 (7/77)

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

WILLIAM F. BRAINARD

DEFAULT ORDERfor Redetermination of Deficiency or for Refund of
Personal Income
Taxes under Article ~~(s)~~ 22 of the Tax Law for the
Year ~~(s)~~ 1970.

Petitioner ~~(s)~~, William F. Brainard, Rt. 2, Box 312A, Wilmington, NC
28401, 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)~~ 1970. File No. ~~(s)~~ 13089.

A small claims hearing on the petition was scheduled before Carl P.
Wright, Hearing Officer, at the offices of the State
Tax Commission, Building #9, Room 107, State Campus, Albany, New York,
on Thursday, Dec. 14, 1978, at 10:45 A.M. Notice of said small claims
hearing was given to petitioner ~~(s)~~ and ~~petitioner's (s) representative~~,

. Petitioner ~~(s)~~ ~~or petitioner's (s) representative~~ did
not appear at the scheduled 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 William F. Brainard
be and the same is hereby denied.

DATED: Albany, New York
April 6, 1979

STATE TAX COMMISSION

James A. Tucker
PRESIDENTMilton Koenig
COMMISSIONERThomas H. G. L.
COMMISSIONER