In the Matter of the Petition

of

Herman & Dorothy S. Koretzky

AFFIDAVIT OF MAILING

for Redetermination of a Deficiency or a Revision of a Determination or a Refund of Personal Income Tax under Article 22 of the Tax Law for the Year 1973.

State of New York County of Albany

Jay Vredenburg, 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 2nd day of November, 1979, he served the within notice of Default by certified mail upon Herman & Dorothy S. Koretzky, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Herman & Dorothy S. Koretzky

5 Kingwood Dr.

Poughkeepsie, NY 12601

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 petitioner herein and that the address set forth on said wrapper is the last known address of the petitioner.

Sworn to before me this 2nd day of November, 1979.

Joanne Knapp



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

STATE TAX COMMISSION

JAMES H. TULLY JR., PRESIDENT MILTON KOERNER THOMAS H. LYNCH

JOHN J. SOLLECITO DIRECTOR

Telephone: (518) 457-1723

November 2, 1979

Herman & Dorothy S. Koretzky 5 Kingwood Dr. Poughkeepsie, NY 12601

Dear Mr. & Mrs. Koretzky:

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 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,

cc: Petitioner's Representative

Taxing Bureau's Representative

In the Matter of the Petition

of

Herman & Dorothy S. Koretzky

DEFAULT ORDER

for Redetermination of Deficiency or for Refund of

Personal Income Tax under Article 22 of the

Tax Law for the Year 1973.

Petitioner Herman & Dorothy S. Koretzky, 5 Kingwood Dr., Poughkeepsie, NY 12601 filed a petition for redetermination of deficiency or for refund of Personal Income Tax under Article 22 of the Tax Law for the Year 1973. File No. 15138.

A small claims hearing on the petition was scheduled before Arthur Johnson, at the offices of the State Tax Commission, State Campus, Bldg. 9, Rm. 107, Albany, New York 12227 on Friday, August 17, 1979 at 9:15 a.m.. Notice of said small claims hearing was given to petitioner. Petitioner 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 & Dorothy S. Koretzky be and the same is hereby denied.

DATED: Albany, New York

NOV 2 1979

STATE TAX COMMISSION

Vh. etm

The second

COMMISSIONER