STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

THOMAS & JOAN O'MARA

For a Redetermination of a Deficiency or a Revision of a Determination or a Refund of Personal Income Taxes under Article(s) 22U of the Tax Law for the Year(s) ~~or Period(s)~~ 1973-1974

AFFIDAVIT OF MAILING

State of New York
County of Albany

John Huhn, being duly sworn, deposes and says that ~~x~~she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 27th day of March, 1979, ~~x~~she served the within Default Order by (certified) mail upon Thomas & Joan O'Mara ~~(representative of)~~ the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Thomas & Joan O'Mara
162 Asharoken Avenue
Northport, New York 11768

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

27th day of March, 1979

Marilyn J. Papineau

John Huhn

TA-3 (2/76)

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

BERTHLYNN J. DAVIS
SECRETARY TO THE
STATE TAX COMMISSION

March 27, 1979

Thomas & Joan O'Mara
162 Asharoken Avenue
Northport, New York 11768

Dear Mr. & Mrs. O'Mara:

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

Please take further notice that pursuant to Section(s) of the Tax Law, any proceeding in court to review an adverse decision must be commenced within 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:

Taxing Bureau's Representative:

AD-1.10(11/78)

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

THOMAS & JOAN O'MARA

for Redetermination of Deficiency or for Refund of

Personal Income Taxes under Article(s) 22U of the

Tax Law for the year 1973-1974

DEFAULT ORDER

Petitioner(s) Thomas & Joan O'Mara, 162 Asharoken Avenue Northport, New York 11768 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 1973-1974. File No. 17958.

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 Thomas & Joan O'Mara be and the same is hereby denied.

DATED: Albany, New York
March 27, 1979

STATE TAX COMMISSION

PRESIDENT

COMMISSIONER

COMMISSIONER