

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :  
of

Jose & Ann J. Sanchez :

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 Years 1973 - 1975. :

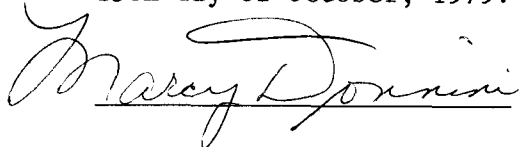
State of New York  
County of Albany

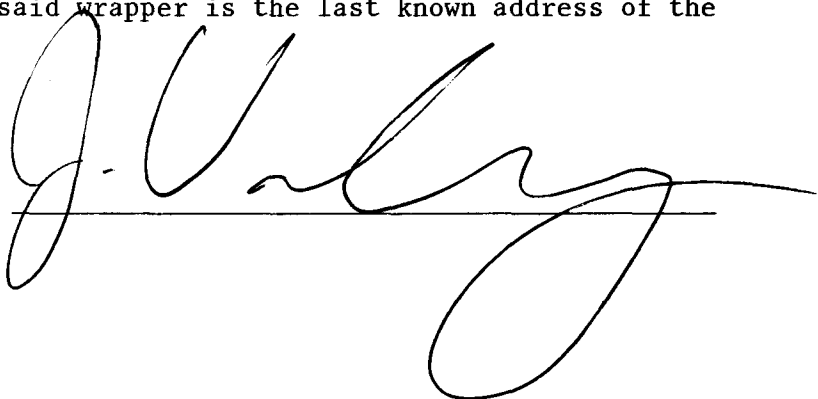
Jay Vredenburg, being duly sworn, deposes and says that he is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 15th day of October, 1979, he served the within notice of by certified mail upon Jose & Ann J. Sanchez, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Jose & Ann J. Sanchez  
70 Granny Rd.  
Farmingville, NY 11738  
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  
15th day of October, 1979.

  
Nancy Donnici

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

PAUL B. COBURN  
SECRETARY

Telephone: (518) 457-6162

October 15, 1979

Jose & Ann J. Sanchez  
70 Granny Rd.  
Farmingville, NY 11738

Dear Mr. & Mrs. Sanchez:

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 undersigned.

Very truly yours,

PAUL B. COBURN  
SECRETARY TO THE  
STATE TAX COMMISSION

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition :  
of :  
Jose & Ann J. Sanchez :  
: DEFAULT ORDER  
for Redetermination of Deficiency or for Refund of :  
Personal Income Tax Taxes under Article(s) 22 :  
of the Tax Law for the Years 1973 - 1975. :

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Petitioner(s) Jose & Ann J. Sanchez, 70 Granny Rd., Farmingville, NY 11738 filed a petition for redetermination of deficiency or for refund of Personal Income Tax taxes under Article(s) 22 of the Tax Law for the Years 1973 - 1975 File No. 19542.

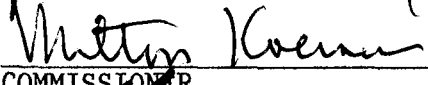
Under Section 601.5 of the State Tax Commission Rules of Practice and Procedure, a notice was served on the petitioner(s) to file a perfected petition. Notice to file the perfected petition was sent to the petitioner(s) last known address. Petitioner(s) failed to file a perfected petition. A default has been duly noted.

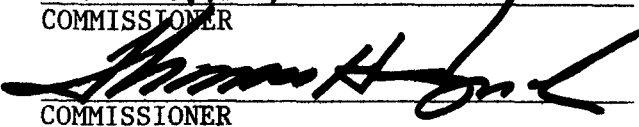
Now on motion of the Secretary to the State Tax Commission, it is  
ORDERED that the petition of Jose & Ann J. Sanchez be and the same is  
hereby denied.

DATED: Albany, New York  
OCT 15 1979

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER

December 20, 1979

Jose Sanchez  
70 Granny Road  
Farmingville, NY 11738

RE: JOSE & ANN J. SANCHEZ

Dear Mr. Sanchez:

This is to acknowledge receipt of your letter of December 3, 1979 with reference to the above entitled matter.

Your motion to vacate the default order issued October 15, 1979 for failure to file a perfected petition is granted upon condition that you file a perfected petition within 45 days from the date of this letter.

Perfected Petition forms are enclosed for your convenience.

Sincerely,

PAUL B. COBURN  
Secretary to the State Tax Commission

PBC:mac

Enc.

CC: Tax Appeals Bureau  
Attn: John Sollecito, Director

JOSE SANCHEZ

70 Granny Road

Farmingville, N.Y. 11738

December 3, 1979

CERTIFIED MAIL  
R.R.R.

Hon. Secretary to Tax Commission  
State of New York  
P. O. Box 5028  
Albany, N. Y. 12205

Sir:

Enclosed please find three (3) envelopes addressed  
to the Honorable members of the Tax Commission,

James H. Tully, Jr., President  
Milton Keerner, Member  
Thomas H. Lynch, Member,

which I ask you deliver to said members as so  
addressed.

Please accept my thanks in advance.

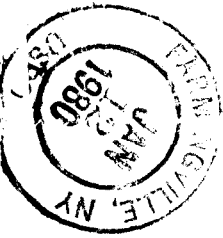
Respectfully,

  
Jose Sanchez

JS:abs

Encl: 3 letters, as above.

J. Sanchez  
70 Granny Rd.  
Farmingville, N.Y. 11738



Paul B. Coburn, Esq., Secretary  
New York State Commission  
Albany, N. Y. 12205

*Tex*

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JOSE SANCHEZ  
70 Granny Rd  
Farmingville, N.Y. 11738

January 11, 1980

Paul B. Coburn, Esq., Secretary  
New York State Tax Commission  
Albany, N. Y. 12227

Re: TAB # 0019542, Jose & Ann J. Sanchez

Sir:

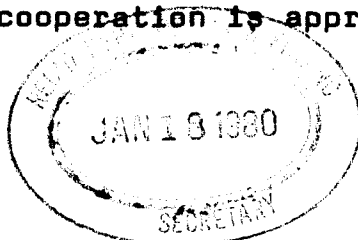
This will acknowledge receipt of your letter dated December 20, 1979. Your prompt action vacating the default order issued in this matter for failure to file a perfected petition is gratefully appreciated and we thank you therefore.

However, in our motion to vacate the aforesaid default order, we appealed to have the Commission direct the adjourned conference be re-convened without delay for the purpose of defining issues in dispute and further, to enter into written stipulations as to such facts. Your letter, above cited, fails to address this very important issue and, in fact, is silent in this regard.

While this matter may appear inconsequential and unimportant to one who is accustomed in dealing with much larger sums, and even perhaps with astronomical amounts, we wish to assure you and the members of the Commission that this matter is of much importance to your humble petitioners. Therefore, we most humbly request the actions prayed for in our motion of December 3, 1979 be implemented post haste, IN VIEW OF THE FACT THAT THE OFFICER-IN-CHARGE OF THE NEW YORK CITY OFFICE, MR. JOHN FALLIS, (telephone 212-488-6054) DENIED ANY KNOWLEDGE OF THIS MATTER AND WOULD NOT RE-CONVENE ANY CONFERENCE UNLESS HE WERE DIRECTED TO DO SO.

Although you, Sir, have listened to our appeal to the point of acting to vacate the default order, it appears we cannot overcome the bureaucratic resistance toward positive action. It appears necessary to have a direct order issued by the Commission, which is what we now seek via this new petition/request to your good office.

May we have our petition/request/motion of December 3, 1979 acted upon favorably in order that this matter may be disposed of promptly? Your assistance and cooperation is appreciated.



Respectfully,

*[Signature]*  
JOSE SANCHEZ

JS:ab

cc: Tax Appeals Bureau  
attn: John Sollecito, Director

January 29, 1980

Jose Sanchez  
70 Granny Road  
Farmingville, NY 11738

RE: JOSE & ANN J. SANCHEZ

Dear Mr. Sanchez:

This is to acknowledge receipt of your letter of January 11, 1980.

As you were advised in my letter of December 20, 1979, you must file your perfected petition on or before February 4, 1980. If you do not file the perfected petition by that time, the default will not be vacated.

After receipt of the perfected petition, the Tax Appeals Bureau will schedule a hearing in this matter, at which time you will have an opportunity to meet with a Tax Appeals Hearing Officer and the attorney representing the Audit Division.

Once again, I must emphasize that you must file the perfected petition in order to obtain a further hearing by the Tax Appeals Bureau.

Sincerely,

RAUL B. COBURN  
Secretary to the State Tax Commission

PEC:mac

cc: John Sollecito, Director  
Tax Appeals Bureau