

STATE OF NEW YORK

DIVISION OF TAX APPEALS

	:	
In the Matter of the Petition	:	
	:	
of	:	DETERMINATION
	:	DISMISSING PETITION
KENNETH M. CARTY	:	
	:	DTA NO. 851096
for Redetermination of a Deficiency or for Refund	:	
of New York State Personal Income Tax under	:	
Article 22 of the Tax Law for the Year 2023.	:	
	:	

Pursuant to 20 NYCRR 3000.3 (a), all proceedings in the Division of Tax Appeals must be commenced by the filing of a petition. Pursuant to 20 NYCRR 3000.3 (b), the form of the petition sets forth the required information that must be included in the petition. Petitioner is required to provide a copy of the statutory notice being protested (*see* 20 NYCRR 3000.3 [b] [8]) and to sign the petition (*see* 20 NYCRR 3000.3 [b] [7]).

On September 16, 2024, the Division of Tax Appeals made a written request to petitioner for a copy of the statutory notice and to sign the petition. To date, petitioner has not provided the missing information.

Therefore, with no response received from petitioner, pursuant to 20 NYCRR 3000.3 (d) (2),

It is ORDERED, on the motion of the supervising administrative law judge, that the petition be, and is hereby, dismissed with prejudice as of this date.

DATED: Albany, New York
October 9, 2025

/s/ Donna M. Gardiner
Donna M. Gardiner
Supervising Administrative Law Judge