

New York State Division of Tax Appeals  
Agency Building 1, Empire State Plaza, Albany, NY 12223

# Notice of Withdrawal of Petition and Discontinuance of Proceeding

**Purpose:** This form is to be submitted by a petitioner to inform the Division of Tax Appeals that a petition is being withdrawn and any proceedings are to be discontinued.

<p><b>In the Matter of the Petition of</b></p> <hr/> <p>for Redetermination of a Deficiency/Revision of a Determination or for Refund under Article(s) _____ of the Tax Law for the Year(s)/Period(s) _____</p>
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DTA Number(s):

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**PLEASE TAKE NOTICE** that the above-named Petitioner hereby withdraws the petition for redetermination of a deficiency/revision of a determination or for refund, and discontinues the above-entitled proceeding, with prejudice, as of this date.

**FOR REFUNDS ONLY:** It is understood that all refund claims are subject to the approval of the Comptroller. Accordingly, the withdrawal and discontinuance is conditioned upon the granting of such approval and the payment of the refund.

\_\_\_\_\_  
Signature of Taxpayer or Representative\*

\_\_\_\_\_  
Date

\* If this document is signed by any person other than the taxpayer, it must be accompanied by a duly executed Power of Attorney unless: (1) a Power of Attorney has already been filed with the Division of Tax Appeals, or (2) this document is signed by an individual otherwise authorized to do so under the regulations of the Tax Appeals Tribunal (20 NYCRR 3000.2).