

KENNETH COPELAND  
1084 West Henderson Road  
Albertville, AL 35950,

Taxpayer,

v.

STATE OF ALABAMA  
DEPARTMENT OF REVENUE.

§ STATE OF ALABAMA  
DEPARTMENT OF REVENUE  
§ ADMINISTRATIVE LAW DIVISION

§ DOCKET NO. INC. 01-623

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### FINAL ORDER

This appeal involves final assessments of 1995 and 1996 income tax. The assessments are based on IRS information. A hearing was conducted on November 27, 2001. At the hearing, the Taxpayer claimed that the IRS never audited him for the subject years, and that he had sufficient records to support his returns.

As directed by a Second Preliminary Order, the Taxpayer submitted various records to the Department concerning his liabilities for the years in issue. The records were submitted to the Department's Special Audit Section, which responded as follows:

There is no order to this bundle of receipts. The information needs to be sorted by date, account type, totaled, and tied to the accounting records and then to the tax return. After this has been done, we will review the records. In this condition, all expenses will be disallowed as the taxpayer has not met the record keeping requirements of Sec. 40-2A-7(a)(1).

A Third Preliminary Order was entered directing the Taxpayer to sort and catalog the records as requested by the Department. He was further directed to submit the records to the Department's Taxpayer Service Center in Gadsden, Alabama by March 29, 2002. The Order stated that if the Taxpayer failed to submit the records by that date, the final assessments would be affirmed. The Department has notified the Administrative Law Division that the Taxpayer failed to respond.

The final assessments are affirmed. Judgment is entered against the Taxpayer

for 1995 tax, penalty, and interest of \$4,390.82, and 1996 tax, penalty, and interest of \$5,037.04. Additional interest is also due from the date of entry of the final assessments, August 13, 2001.

This Final Order may be appealed to circuit court within 30 days pursuant to Code of Ala. 1975, §40-2A-9(g).

Entered May 1, 2002.

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BILL THOMPSON  
Chief Administrative Law Judge

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bt:dr

cc: Mark Griffin, Esq.  
Kenneth Copeland  
Kim Herman