

UNITED STATES TAX COURT
WASHINGTON, DC 20217

FRANK ROBERT BRANCATELLI,)	
)	
Petitioner,)	
)	
v.)	Docket No. 13836-18P.
)	
COMMISSIONER OF INTERNAL REVENUE,)	
)	
Respondent.)	

ORDER

The petition in this case was filed on July 13, 2018. Among other things, in his petition petitioner seeks review of (1) a purported notice of deficiency dated June 18, 2018, allegedly issued for his taxable years 2005, and 2007 through 2014, and (2) a purported notice of determination concerning collection action dated June 18, 2018, allegedly issued with respect to his taxable years 2005, and 2007 through 2014.

On September 6, 2018, respondent filed a Motion To Dismiss on Grounds of Mootness stating that respondent, subsequent to the filing of the petition, has notified the Secretary of State that respondent has reversed respondent's certification of petitioner as an individual owing serious delinquent tax debt for 2005, and 2007 through 2014.

On September 7, 2018, respondent filed an Answer to the petition. In his Answer respondent acknowledges that a Notice CP508C, notice of your seriously delinquent tax debt was issued to the State Department, was issued with respect to 2005, and 2007 through 2014, but respondent denies that any notice of deficiency for 2005, and 2007 through 2014, and/or notice of determination under I.R.C. section 6320 or 6330 for 2005, and 2007 through 2014, was issued to petitioner.

Upon due consideration, it is

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ORDERED that, on or before October 1, 2018, respondent shall file an appropriate jurisdictional motion as to so much of this case relating to the notice of deficiency for 2005, and 2007 through 2014, and the notice of determination under I.R.C. section 6320 or 6330 for 2005, and 2007 through 2014. The Court will hold in abeyance respondent's September 6, 2018, motion to dismiss on grounds of mootness.

(Signed) Maurice B. Foley
Chief Judge

Dated: Washington, D.C.
September 10, 2018