

RECEIVED

APR 16 2004

TAX APPEAL BOARD
STATE OF DELAWARE

Before the Tax Appeal Board

State of Delaware

JAMES H. & MARION R. GUSSETT)
)
Petitioners,)
)
v.)
)
DIRECTOR OF REVENUE)
)
Respondent.)

No. 1350

ORDER

This matter comes before the Board on petitioners' request that the Board set aside the respondent's assessment of penalty for petitioners' failure to pay an adequate amount of estimated tax for tax year 2000.

The Board, having considered the submissions of the parties and the applicable legal principles, IT IS HEREBY ORDERED this 16th day of April, 2004, that petitioners did not have reasonable cause for failing to pay the required estimated taxes and that the decision of the Director on this matter is therefore affirmed. Petitioners are directed to pay the \$231.90 estimated tax penalty imposed by the State.

Paul C. Selt

Jan M. Winters

Cynthia L. Hughes

Regina C. Redwine