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Jun 24, 2011 Messrs. Leland K. Neeves and John E. MacLeish, both of Chicago, Ill., for petitioner. The Attorney General and Mr. Angus D. MacLean, Asst. Sol. Gen., of

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(two cases). Nos. 791, 792. Argued April 5, 1934. Decided April 30, 1934.

### **Avery v. commissioner of internal revenue |**

v. COMMISSIONER OF INTERNAL REVENUE, Respondent-Appellee. NATHANIEL CALEB  
AVERY, Petitioner-Appellant, v. COMMISSIONER OF INTERNAL REVENUE, Respondent-  
Appellee.

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292 U.S. 210 (54 S.Ct. 674, 78 L.Ed. 1216) AVERY v. COMMISSIONER OF INTERNAL REVENUE  
(two cases). Nos. 791, 792. Argued: April 5, 1934.

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324 u.s. 393 (65 s.ct. 811, 89 l.ed. 1023) putnam's estate v. commissioner of internal revenue. no. 534. argued: feb. 2, 1945.

**574 f2d 467 avery v. commissioner of internal**

3. Avery filed a preliminary motion to shift the burden of proof at trial from her to the Commissioner. To succeed she had to prove that the Commissioner's

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originating from the United States Supreme Court case of Hickman v. Inc. v. U.S. Dept. of judgment record, the court finds that Galella's due process

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