

ORIGINAL



0000082040

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

LAW OFFICES OF
VINGELLI & ERRICO

BANK OF AMERICA PLAZA
33 NORTH STONE AVENUE
SUITE 1800
TUCSON, ARIZONA 85701
TELEPHONE (520) 791-0900

Michael J. Vingelli
State Bar No. 002899, PCC No. 59684
Attorneys for Respondent

RECEIVED

2008 FEB 21 A 10:34

AZ CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

FEB 21 2008

DOCKETED BY
MRE

In the matter of:) DOCKET NO. S-20520A-07-0155
)
LEONARD FRANCIS ALCARO (a/k/a "LENNY)
ALCARO"), and) MOTION TO CONTINUE
MARY BRIGID LAVIN ALCARO, husband and)
wife,)
1140 West San Lucas Circle,)
Tucson, Arizona 85704)
Respondents.)
_____)

COMES NOW, the Respondent, MARY BRIGID LAVIN ALCARO, and submits this

Motion To Continue for the reasons that:

- 1) the Commission disclosed additional Exhibits to Respondent Mary Alcaro on February 13, 2008;
- 2) Lenny Alcaro has been indicted and will not be able to testify at a hearing as a witness for Mary Alcaro, and the resolution of his criminal case may resolve the issues in this matter, and ;

19

LAW OFFICES OF
VINGELLI & ERRICO
BANK OF AMERICA PLAZA
33 NORTH STONE AVENUE
SUITE 1800
TUCSON, ARIZONA 85701
TELEPHONE (520) 791-0900

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

3) the testimony of Lenny Alcaro was anticipated to go to his personal knowledge of the lack of authenticity of the signatures on several financial documents, which are purported to be Mary Alcaro's signatures; and such testimony is indispensable to Mary Alcaro's defense; and

4) the testimony of Lenny Alcaro was also to the issue of the character of the financial transactions with the alleged victims, which did benefit the community, but him personally, if at all.

For the foregoing reasons, Respondent Mary Alcaro asks this Court to grant this Motion to Continue until such time as the criminal charges pending against Lenny Alcaro are resolved, or for six (6) months, whichever first occurs.

RESPECTFULLY SUBMITTED this 2nd day of February, 2008.

VINGELLI & ERRICO



Michael J. Vingelli, Esq.
Attorney for Respondent

LAW OFFICES OF
VINGELLI & ERRICO
BANK OF AMERICA PLAZA
33 NORTH STONE AVENUE
SUITE 1800
TUCSON, ARIZONA 85701
TELEPHONE (520) 791-0900

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Original and thirteen (13) copies
of the foregoing mailed
this 20 day of February, 2008 to:

Docket Control
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

Copy of the foregoing
mailed this 20 day
of February, 2008 to:

Mike Dailey
Arizona Corporation Commission
1300 W. Washington
3rd Floor
Phoenix, Arizona 85007

Mr. Marc Stern
Administrative Law Judge
Arizona Corporation Commission
Hearing Division
1200 West Washington
Phoenix, Arizona 85007