

**Electronically Filed
Intermediate Court of Appeals
CAAP-22-0000712
25-MAR-2025
07:53 AM
Dkt. 91 SO**

NO. CAAP-22-0000712

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee,
v.
SPRING GLOVER, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
WAHIAWĀ DIVISION
(CASE NO. 1DCC-21-0002259)

SUMMARY DISPOSITION ORDER

(By: Leonard, Acting Chief Judge, Hiraoka and Wadsworth, JJ.)

Spring **Glover** appeals from the October 27, 2022 Judgment of the District Court of the First Circuit, Wahiawā Division.¹ We vacate and remand for a new trial.

Glover was charged by complaint with Cruelty to Animals in the Second Degree in violation of Hawaii Revised Statutes (**HRS**) § 711-1109(1)(a). She pleaded not guilty and waived her right to a jury trial. The district court found her guilty. This appeal followed.

Glover contends her waiver of a jury trial was invalid, and the trial court didn't give a proper Lewis/Monteil pretrial

¹ The Honorable Timothy E. Ho presided.

advisement² or conduct a Tachibana/Torres colloquy.³ Her last point is dispositive.

Glover testified at trial, but the district court did not engage her in a Tachibana/Torres colloquy before she did. Thus, the record does not show she knowingly, intelligently, or voluntarily waived her constitutional right to not testify. She doesn't challenge the sufficiency of the evidence to support the verdict. Accordingly, the Judgment entered by the district court on October 27, 2022, is vacated, and this case is remanded for a new trial.

DATED: Honolulu, Hawai'i, March 25, 2025.

On the briefs:

Walter J. Rodby,
for Defendant-Appellant.

Loren J. Thomas,
Deputy Prosecuting Attorney,
City and County of Honolulu.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge

² State v. Lewis, 94 Hawai'i 292, 12 P.3d 1233 (2000); State v. Monteil, 134 Hawai'i 361, 341 P.3d 567 (2014).

³ Tachibana v. State, 79 Hawai'i 226, 900 P.2d 1293 (1995); State v. Torres, 144 Hawai'i 282, 439 P.3d 234 (2019).