# Colorado Supreme Court to Hear Case of Christian Baker Refusing Gender Transition Cake



The Colorado Supreme Court is set to hear arguments on Tuesday regarding a Christian baker, Jack Phillips, who refused to make a cake celebrating a gender transition. This case, one of three similar cases from Colorado, centers around the conflict between LGBTQ+ civil rights and First Amendment rights.

In 2012, Phillips made headlines for refusing to bake a cake for a gay couple's wedding, a case in which he partially prevailed before the U.S. Supreme Court in 2018. Now, Phillips faces a lawsuit from Autumn Scardina, a transgender woman, after refusing to bake a pink cake with blue frosting for her birthday that also celebrated her gender transition. Scardina, an attorney, brought the lawsuit to challenge Phillips' claims that he serves LGBTQ+ customers.

The Colorado Court of Appeals previously ruled in favor of Scardina, stating that the cake was not a form of speech. The appeals court noted that Phillips initially agreed to make the cake but refused after learning the cake’s purpose. The court concluded that creating a pink cake with blue frosting is not inherently expressive and any message it might convey would not be attributed to the baker.

This case involves Colorado’s anti-discrimination law, which prohibits refusing services based on protected characteristics such as race, religion, or sexual orientation. Phillips has argued that his cakes are a form of speech protected by the First Amendment.

Another related case from Colorado involved graphic artist Lorie Smith, who won a U.S. Supreme Court ruling last summer allowing her to refuse designing wedding websites for same-sex couples on free speech grounds. Both Phillips and Smith are represented by the Alliance Defending Freedom, a conservative legal group. Observers believe the recent Supreme Court ruling may impact the arguments presented in the Phillips case.