

Colorado Baker Who Refused to Make ‘Gender Transition’ Cake Loses Appeal

By [Cassandra MacDonald](#) January 27, 2023 [Story source: Gateway Pundit](#)



A Colorado baker who refused to make a cake celebrating a “gender transition” has lost an appeal arguing that his decision was protected free speech.

The Colorado Court of Appeals decided on Thursday that Jack Phillips and Masterpiece Cakeshop broke the law when he refused to bake cakes for people based on their gender identity or sexual orientation.

Phillips won a Supreme court case in 2018 over his refusal to bake a cake for a gay wedding. He has since been relentlessly targeted by LGBT activists.

In Thursday’s ruling, the court said that the symbolism in the decorations on the cake requested by activist Autumn Scardina would not be attributed to the baker — and therefore it is not protected free speech to refuse.

“We conclude that creating a pink cake with blue frosting is not inherently expressive and any message or symbolism it provides to an observer would not be attributed to the baker,” the ruling said.

According to a report from Fox News, John McHugh, one of the lawyers who represent Scardina, said Phillips had only refused to bake the cake because he objected “to the idea of Ms. Scardina wanting a birthday cake that reflects her status as a transgender woman because they object to the existence of transgender people.”

“One need not agree with Jack’s views to agree that all Americans should be free to say what they believe, even if the government disagrees with those beliefs,” Jake Warner, senior counsel for Alliance Defending Freedom, who represented Phillips, said in a statement obtained by the network.

It appears the the entire cake and lawsuit were a set up to continue the harassment of Phillips after the previous ruling.

“This case started the day the Supreme Court decided they were going to hear our case. It was a very busy, very crazy day at the shop,” Phillips [told](#) Fox News in March. “In the middle of all of this chaos, we got a phone call from an attorney in Denver asking us to create a cake pink on the inside with blue icing on the outside.”