

# Colorado drops case against Christian baker Jack Phillips for refusing to make transgender cake

By [Michael Gryboski](#) <sup>(1)</sup>, Christian Post Reporter



Close to 400 supporters of Christian baker Jack Phillips came out to celebrate his Supreme Court victory in Lakewood, Colorado, on June 8, 2018. | (Screenshot: YouTube/Alliance Defending Freedom)

Colorado has announced they are dropping their litigation against Christian baker Jack Phillips for his refusing on religious grounds to make a transgender cake.

Soon after receiving a favorable ruling from the U.S. Supreme Court last year on whether he could refuse to make a same-sex wedding cake, Phillips again found himself in legal trouble for refusing to make a cake celebrating a gender transition.

In an announcement released Tuesday <sup>(12)</sup>, the state office explained that the Colorado Civil Rights Commission will voluntarily drop its case against Phillips; in return, Phillips will end his federal lawsuit against the state.

Colorado Attorney General Phil Weiser, whose office was representing the commission, said in a statement on Tuesday that “both sides agreed it was not in anyone’s best interest to move forward with these cases.”

“The larger constitutional issues might well be decided down the road, but these cases will not be the vehicle for resolving them,” stated Weiser. <sup>(13)</sup>

“Equal justice for all will continue to be a core value that we will uphold as we enforce our state’s and nation’s civil rights laws.”

Kristen Waggoner, the Alliance Defending Freedom attorney who argued on behalf of Phillips before the Supreme Court, said in a statement that she considered the mutual dropping of cases to be “great news for everyone.”

“The state of Colorado is dismissing its case against Jack, stopping its six and a half years of hostility toward him for his beliefs,” stated Waggoner. <sup>(14)</sup>

“Tolerance and respect for good-faith differences of opinion are essential in a diverse society like ours. They enable us to peacefully coexist with each [other].”

Last June, the Supreme Court ruled 7-2 in *Masterpiece Cakeshop v. Colorado Civil Rights Commission* that Colorado violated Phillips’ First Amendment rights when the state punished him for refusing to bake a custom cake for the wedding of Dave Mullins and Charlie Craig in 2012.

“When the Colorado Civil Rights Commission considered this case, it did not do so with the religious neutrality that the Constitution requires,” wrote then Supreme Court Justice Anthony Kennedy for the majority. <sup>(15)</sup>

"Given all these considerations, it is proper to hold that whatever the outcome of some future controversy involving facts similar to these, the Commission's actions here violated the Free Exercise Clause; and its order must be set aside."

Last year, a Colorado lawyer requested that Phillips make a cake celebrating a gender transition, with the exterior of the cake meant to be blue while the interior would be pink.

Phillips also got requests to make cakes celebrating Satan, marijuana, and sexually explicit imagery, with some of these requests reportedly also coming from the lawyer.

Phillips sued the commission and the state of Colorado when the former argued that the baker's refusal to make the gender transition cake was discriminatory.

In January, Judge Wiley Y. Daniel of the U.S. District Court for the District of Colorado issued an order<sup>(16)</sup> allowing Phillips' suit to continue.

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