



IN THE COUNTY COURT OF
DALLAS COUNTY, TEXAS
COUNTY COURT AT LAW NO. 1

Hon. James D. Blacklock
Chief Justice Texas Supreme Court
201 West 14th Street
P.O. Box 12248
Austin, Texas 78711

May 15, 2026

RE: Your Letter of May 13, 2026

Dear Chief Justice Blacklock:

I am so sorry that you are having to deal with an article about a complaint that I was completely unaware of until receiving your letter. I am happy to explain, and do, below the reasons for the mask requirement and some intricacies related to my personal health.

Your letter of May 13 requests my response to allegations made in an article written by Mark Curriden, "Dallas Lawyer Challenges Judge's Mask Mandate", THE TEX. LAWBOOK (May 12, 2026).

You asked that I:

"Please respond either by clarifying that you do not require masks or heightened health screenings as a condition of entry into or presence within your courtroom, or by explaining why the Court should not direct you to withdraw any such requirement"

Initially, I must confess to being flummoxed by your request. I was totally unaware of the complaint and inflammatory allegations referenced in the article until I received your letter. I have never seen the 14-page complaint referenced in the article. I am also perplexed as to how and why the contents of your letter would appear in a publication prior to me having actually received it.

I cannot address allegations that I have not seen, however, in response to your query, I respond as follows:

1) I require masks to protect my personal health and safety. Just as a bailiff is present in the courtroom to protect the judge's safety, a mask is required to protect me from infection, which a bailiff cannot do.

Without going into specific detail, my masking requirement is based upon my personal health condition. I have a rare autoimmune disorder (developed after COVID), which makes me

highly susceptible to infection. I base my masking requirement upon Chapter 21 of the Texas Government Code and Texas AG Opinion KP-0322 as set out below:

Attorney General Opinion KP-0322 referencing Chapter 21 of the Texas Government Code states in pertinent part:

We next address the authority of a “court presiding over a courtroom in a county owned or controlled courthouse” to require any person who enters the courthouse to wear a facial covering while in the courthouse. Request Letter at 2. *Among its inherent powers, a court possesses “broad discretion over the conduct of its proceedings” in the courtroom. State ex rel. Rosenthal v. Poe, 98 S.W.3d 194, 199 (Tex. Crim. App. 2003). Emphasis added.* “A court has all powers necessary for the exercise of its jurisdiction and the enforcement of its lawful orders, including authority to issue the writs and orders necessary or proper in aid of its jurisdiction.” TEX. GOV'T CODE § 21.001(a); *see Lantrip v. State, 336 S.W.3d 343, 351–52 (Tex. App.—Texarkana 2011, no pet.) (recognizing that a court’s inherent power to control the courtroom includes reasonable attire restrictions). Emphasis added.*

2) I do not require “heightened health screenings” as a condition of entry into or presence within my courtroom. Because of the masking requirement, such is not required.

3) The Court should not direct me to withdraw my masking requirement because it is implemented for my personal health and safety. As stated above, my masking requirement is based upon Chapter 21 of the Texas Government Code and Texas AG Opinion KP-0322. Both of which I believe reflect pertinent, relevant and current law. I understand that you have the authority to order me to change my policy and I seek your advice on a reasonable accommodation regarding how to protect my health and safety while conducting court proceedings should you decide to do so.

Thank you for this opportunity to respond to your inquiry. I await further your further instruction.

Sincerely,



D'Metria Benson,

Judge Dallas County

County Court at Law No.1

c: rulescomments@txcourts.gov

Hon Ray Wheless, Presiding Judge 1st AJR