

SUPREME COURT OF THE STATE OF KANSAS

State v. Exon

No. 126,757 · No. No. 126,757 · Decided April 17, 2026

SUMMARY

The Kansas Supreme Court affirmed Jeffrey James Exon's convictions arising from the starvation death of his two-year-old daughter. The court held that the trial court properly excluded expert testimony concerning alleged medical-provider malpractice because it was not relevant to whether Exon's criminal neglect caused the death. The court vacated the sentence in part and remanded for correction of a clerical error in the sentencing journal entry.

CASE DETAILS

COURT	Supreme Court of the State of Kansas
WRITING FOR THE COURT	Rosen, C.J.
JURISDICTION	Supreme Court of the State of Kansas
DECIDED	April 17, 2026
DOCKET	No. 126,757
DISPOSITION	remanded
PROCEDURAL POSTURE	Exon appealed his convictions and sentences for first-degree felony murder, failure to report the death of a child, and aggravated endangering a child. He challenged the exclusion of defense expert testimony and an inconsistency between the oral sentence and the sentencing journal entry.
STANDARD OF REVIEW	The admissibility of expert testimony and the trial court's performance of its evidentiary gatekeeping role are reviewed for abuse of discretion. The appellate court first determines whether the trial court applied the correct legal standard, then reviews the expert's qualifications and the relevance and reliability of the opinion under that standard.
PRECEDENTIAL VALUE	Published Kansas Supreme Court opinion; precedential.
PARTIES	Jeffrey James Exon v. State of Kansas

TOPICS

expert testimony

evidence

criminal procedure

sentencing

appellate procedure

PRACTICE AREAS

criminal procedure

evidence

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constitutional law

QUESTIONS PRESENTED

1. Whether exclusion of the defense expert's opinions that A.E.'s medical providers were negligent and that more aggressive medical intervention could have saved her life violated Exon's constitutional right to present a defense.
2. Whether the trial court properly performed its evidentiary gatekeeping function under K.S.A. 60-456(b) by excluding the proffered expert testimony as irrelevant.
3. Whether the conflicting 683-month term stated in the sentencing journal entry, instead of the 653-month term orally pronounced from the bench, required correction.

HOLDINGS

1. A defendant's constitutional right to present a defense does not require admission of expert evidence that is irrelevant to the defendant's criminal culpability. The exclusion of testimony concerning alleged malpractice by medical providers did not violate Exon's right to present a complete defense because it did not establish a defense to his own criminal neglect.
2. The trial court did not abuse its discretion by excluding the expert's opinions that medical providers were medically negligent, that more assertive care probably would have saved A.E.'s life, and that a home-and-family assessment should have been conducted, because the opinions were not relevant to whether Exon criminally neglected A.E. to the extent that his neglect caused her death.
3. The oral pronouncement of sentence controls over a conflicting written journal entry. The 683-month term in the journal entry was a clerical error, and the sentence must be corrected through a nunc pro tunc order to reflect the sentence pronounced from the bench.

KEY QUOTATIONS

“Although defendants have a constitutional right to present evidence that is integral to their defense, the right to present evidence supporting such theories is subject to statutory rules and caselaw interpretation of rules of evidence and procedure.” (6)

“Under K.S.A. 60-456(b), a trial court acts as an evidentiary gatekeeper by assessing the reliability and relevance of expert testimony.” (6)

“Contributing factors by other parties do not diminish a defendant's culpability for a criminal act.” (8)

“Sentences are effective when they are pronounced from the bench.” (9)

FACTUAL BACKGROUND

Jeffrey James Exon had custody of his two-year-old daughter, A.E., who had experienced weight loss and constipation but was described as healthy and playful at a December 8, 2020, medical visit. A.E. later died from marasmus, or starvation and dehydration, after being neglected in Exon's home; an autopsy found an empty stomach and no food in her bowels. Exon's defense expert sought to testify that medical providers had committed malpractice by failing to intervene more aggressively, but the district court excluded that testimony as irrelevant to whether Exon's own neglect caused the death.

PROCEDURAL HISTORY

A Shawnee County jury convicted Exon of felony murder, reckless second-degree murder, aggravated endangering a child, and failure to report the death of a child. The district court merged the second-degree murder conviction into the felony-murder conviction and imposed consecutive sentences, including life imprisonment without parole for 653 months. The journal entry incorrectly stated that parole eligibility was after 683 months. The Kansas Supreme Court affirmed the convictions, vacated the sentence in part, and remanded for correction of the journal entry.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case is remanded to the district court to issue a new journal entry of sentencing consistent with the Kansas Supreme Court's opinion, reflecting the oral sentence rather than the erroneous 683-month term. The convictions remain affirmed; the sentence is vacated only to the extent necessary to correct the sentencing entry.

CASES CITED

- State v. J.L.J., 318 Kan. 720, 737, 547 P.3d 501 (2024)
- State v. Evans, 275 Kan. 95, 102, 62 P.3d 220 (2003)
- State v. Aguirre, 313 Kan. 189, 196, 198, 485 P.3d 576 (2021)
- Manhattan Ice & Cold Storage, Inc. v. City of Manhattan, 294 Kan. 60, 274 P.3d 609 (2012)
- State v. Lyman, 311 Kan. 1, 22, 455 P.3d 393 (2020)
- Mooney v. City of Overland Park, 283 Kan. 617, 619-20, 153 P.3d 1252 (2007)
- State v. Wilson, 308 Kan. 516, 526, 421 P.3d 742 (2018)
- State v. Kirby, 272 Kan. 1170, 1183, 39 P.3d 1 (2002)
- State v. Johnson, 320 Kan. 246, 248, 564 P.3d 782 (2025)
- State v. Edwards, 309 Kan. 830, 835-36, 440 P.3d 557 (2019)